

WEDNESDAY, APRIL 3, 2002

EIGHTY-FIRST LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Tony Holt, Kingwood Heights Church of Christ, Murfreesboro, Tennessee.

Representative Hood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....94

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Langster; personal reasons.

Representative Sharp; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 682: Rep(s). Kent, Cole (Carter), Buttry, Todd and Boyer as prime sponsor(s).

House Joint Resolution No. 685: Rep(s). Turner (Davidson), Pleasant, Miller and U. Jones as prime sponsor(s).

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House Joint Resolution No. 795: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 796: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 797: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 802: Rep(s). Ferguson as prime sponsor(s).

House Joint Resolution No. 803: Rep(s). Roach as prime sponsor(s).

House Bill No. 710: Rep(s). Todd as prime sponsor(s).

House Bill No. 1901: Rep(s). Hargett and Buck as prime sponsor(s).

House Bill No. 2061: Rep(s). Hargett, Todd, Hargrove, Winningham, Walker and Turner (Hamilton) as prime sponsor(s).

House Bill No. 2121: Rep(s). Baird and Walker as prime sponsor(s).

House Bill No. 2187: Rep(s). Davidson, Whitson, Clem, Davis (Cocke), West, McDonald, Davis (Washington), Garrett, Windle, Bone, Walker, Mumpower, Godsey, Wood, Rinks, Turner (Hamilton), Brown, Scroggs, Bittle, Vincent, Baird, Goins, Dunn, Hagood and Tindell as prime sponsor(s).

House Bill No. 2372: Rep(s). Patton as prime sponsor(s).

House Bill No. 2853: Rep(s). Hargrove as prime sponsor(s).

House Bill No. 2992: Rep(s). Davidson as prime sponsor(s).

House Bill No. 3240: Rep(s). Godsey as prime sponsor(s).

**ENROLLED BILLS
March 26, 2002**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 233, 234, 235 and 236; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
March 26, 2002**

The Speaker signed the following: House Resolution(s) No(s). 233, 234, 235 and 236.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

March 26, 2002

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 754, 755, 756, 759, 760, 762, 763, 764, 765, 766, 767, 768, 769, 771, 772, 773, 774, 775, 776 and 777.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 26, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 175, 2013, 2041, 2177, 2381, 2386, 2410, 2421, 2522, 2547, 2612, 2682, 2937, 3077, 3094; also, Senate Joint Resolution(s) No(s). 589 and 590 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED

March 26, 2002

The Speaker signed the following: Senate Bill(s) No(s). 175, 2013, 2041, 2177, 2381, 2386, 2410, 2421, 2522, 2547, 2612, 2682, 2937, 3077, 3094; also, Senate Joint Resolution(s) No(s). 589 and 590.

MESSAGE FROM THE GOVERNOR

March 27, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 125, 686, 687, 688, 689, 690, 694, 695, 696, 697, 699, 700, 701, 702, 703, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 716, 717, 719, 720, 721, 722, 725, 727, 728, 729, 730, 731, 732, 733, 734, 736, 737, 738, 739, 744 and 753, with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1268; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2386; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2219; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2903; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2687; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2906; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2975, 3217, 3218, 3219, 3227, 3228, 3229 and 3233; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3249; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

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MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 647 and 648; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

March 27, 2002

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1268, 2386, 2687, 2903, 2906, 2975, 3217, 3218, 3219, 3227, 3228, 3229, 3233 and 3249.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 27, 2002

The Speaker signed the following: House Bill(s) No(s). 1268, 2386, 2687, 2903, 2906, 2975, 3217, 3218, 3219, 3227, 3228, 3229, 3233 and 3249.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1268, 2386, 2687, 2903, 2906, 2975, 3217, 3218, 3219, 3227, 3228, 3229, 3233 and 3249; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 2002

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 618, 745, 747, 748, 749, 750, 751, 754, 755, 756, 759, 760, 762, 763, 764, 765, 766, 767, 768, 769, 771, 772, 773, 774, 775, 776 and 777; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 28, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2357; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

March 28, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2062, 2085, 2130, 2137, 2152, 2263, 2388, 2418, 2425, 2539, 2548, 2762, 2791, 2801, 2941, 2951, 2961, 2986, 3070, 3129, 3143; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 2062** -- Sunset Laws - South central Tennessee railroad authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2. by *Harper, *Burchett, *Trail. (HB2715 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2085** -- Sunset Laws - Tri-county railroad authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2. by *Harper, *Burchett, *Trail. (HB2766 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2130** -- Claims Commission, Tennessee - Extends term of office for persons serving on commission from six years to eight years. Amends TCA Title 9, Chapter 8, Part 3. by *Cooper J, *Dixon. (HB2115 by *Cole (Dyer))

***Senate Bill No. 2137** -- Taxes, Inheritance Gift - Provides that gift to qualified Tennessee education savings plan (BEST program) is exempt from Tennessee gift tax to same extent as federal gift tax. Amends TCA Title 49, Chapter 7, Part 8 and Title 67. by *Fowler. (HB2119 by *Fowlkes)

***Senate Bill No. 2152** -- Education - Enacts "Discipline Act of 2002." Amends TCA Title 49, Chapter 6, Parts 34. by *Dixon, *Miller J. (HB2264 by *Towns)

Senate Bill No. 2263 -- Highways, Roads and Bridges - Requires department of transportation to minimize noise impact from highway traffic on certain noise sensitive areas. Amends TCA Title 54. by *Fowler. (*HB2246 by *Sharp, *Wood)

***Senate Bill No. 2388** -- Criminal Offenses - Imposes additional \$200 fine against persons convicted of domestic type assault or aggravated assault and provides that revenue raised from additional fine is to be appropriated by general assembly for funding family violence shelters and shelter services. Amends TCA Title 39, Chapter 13, Part 1. by *Graves, *Rochelle, *Davis L, *Burks. (HB2530 by *McMillan)

***Senate Bill No. 2418** -- Appeal and Review - Requires circuit court to grant writ of certiorari to hear appeal from decision of board or commission revoking, suspending, or denying license or permit that is required prior to engaging in conduct protected by First Amendment. Amends TCA Title 27, Chapter 9. by *Haynes. (HB2778 by *Odom)

***Senate Bill No. 2425** -- Pensions and Retirement Benefits - Corrects statutory reference to superceded retirement systems within retirement benefit system election of option provision. Amends TCA Title 5, Chapter 1, Part 3; Title 8, Chapter 23; Title 8, Chapter 25; Title 8, Chapter 27; Title 8, Chapters 34 through 37; and Title 8, Chapter 50. by *Atchley. (HB2500 by *Rhinehart, *Head)

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***Senate Bill No. 2539** -- Criminal Offenses - Creates Class E felony offense of possession of substance with intent to use it to manufacture controlled substance or convey it to another for such use but does not apply to persons licensed to dispense or prescribe controlled substance. Amends TCA Title 39, Chapter 17, Part 4. by *Burks, *McNally, *Davis L. (HB2576 by *Buck)

***Senate Bill No. 2548** -- Medical Occupations - Authorizes chiropractic physicians to submit written request to medical laboratory for tests appropriate to professional's practice and to have result of test reported directly to chiropractic physician. Amends TCA Section 68-29-121. by *Ford J. (HB2981 by *Odom, *Jones, S., *Armstrong)

***Senate Bill No. 2762** -- Planning, Public - Allows secretary of planning commission, rather than full commission, to approve certain plats under certain circumstances. Amends TCA Title 13, Chapter 4, Part 3. by *Fowler. (HB2645 by *Wood)

Senate Bill No. 2791 -- Food and Food Products - Requires catfish products sold in state to be labeled with nation of origin included thereon; grants department of agriculture enforcement powers with authority to impose civil penalties. Amends TCA Title 53. by *Rochelle. (*HB2121 by *Bone, *Baird, *Walker)

***Senate Bill No. 2801** -- Election Laws - Creates Class E felony for person who is not employee of election commission to give unsolicited request for application for absentee ballot; increases ratio for registered voters per voting machine from 650 to 750; makes other revisions to election laws. Amends TCA Section 2-2-109; Section 2-2-116; Section 2-3-104 and Section 2-6-202. by *Rochelle. (HB3193 by *Hargrove)

Senate Bill No. 2941 -- TennCare - Revises HMO prompt payment requirements as they relate to TennCare. Amends TCA Section 56-32-226. by *Clabough. (*HB2894 by *Kisber)

Senate Bill No. 2951 -- Laundries and Dry Cleaners - Sets annual registration and surcharge fees for dry cleaning facilities based on amount of solvent purchased; establishes deductible amounts under dry cleaner environmental response program; specifies that permit not required under certain circumstances. by *Ramsey. (*HB2904 by *McCord)

Senate Bill No. 2961 -- TennCare - Authorizes office of health services to issue subpoenas and compel attendance of witnesses and production of documents as part of TennCare enrollee investigation; punishes failure to comply as contempt of court. - TCA Title 71-5-118. by *Fowler. (*HB2888 by *Scroggs)

Senate Bill No. 2986 -- Taxes - Provides that taxpayer confidentiality requirements and disclosure limitations apply to electronically filed returns. Amends TCA Title 67. by *Cooper J. (*HB3025 by *Kisber)

Senate Bill No. 3070 -- Education, Dept. of - Revises obsolete language on teacher in-service training requirements. Amends TCA Title 49, Chapter 2. by *Burks. (*HB3012 by *Windle)

Senate Bill No. 3129 -- Courts, Administrative Office of the - Clarifies cases to be "counted" and "reported" by AOC; clarifies that Tennessee court information system is to report court cases instead of count them. - TCA Title 16. by *Rochelle. (*HB3132 by *White, *Kisber)

Senate Bill No. 3143 -- Mortgages - Places certain requirements and restrictions on mortgage and home equity loans. Amends TCA Title 45 and Title 47, by *Herron, *Cooper J. (*HB3178 by *Fitzhugh)

MESSAGE FROM THE SENATE
March 28, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 497, 534, 554, 557, 558, 563, 572, 591, 592, 593 and 616; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Joint Resolution No. 497** -- General Assembly, Statement of Intent or Position - Expresses support for memorials commemorating terrorist attacks of September 11; such memorials to be built using steel from remains of World Trade Center Towers and to be placed in American high schools. by *McNally, *Dixon, *Davis L, *Henry.

***Senate Joint Resolution No. 534** -- General Assembly, Studies - Reauthorizes select joint committee on veterans' affairs. by *Crowe, *Dixon, *Henry.

***Senate Joint Resolution No. 554** -- General Assembly, Confirmation of Appointment - Eddie Paschall, Tennessee Forestry Commission. by *Rochelle, *Rochelle.

***Senate Joint Resolution No. 557** -- General Assembly, Confirmation of Appointment - Elizabeth L. Kirk, Tennessee Higher Education Commission. by *Crutchfield, *Fowler.

***Senate Joint Resolution No. 558** -- General Assembly, Confirmation of Appointment - Deborah Taylor Tate, Tennessee Regulatory Authority. by *Atchley.

***Senate Joint Resolution No. 563** -- General Assembly, Confirmation of Appointment - Confirms appointment of Pat Miller as director of TRA. by *Wilder, *Henry, *Dixon, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

***Senate Joint Resolution No. 572** -- Memorials, Government Officials - Urges State Building Commission to name Johnson City Tennessee Highway Patrol Office on John Exum Parkway in honor of James Seehorn. by *Crowe.

***Senate Joint Resolution No. 591** -- General Assembly, Confirmation of Appointment - Confirms appointment of Sara Kyle as director of TRA. by *Dixon, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

Senate Joint Resolution No. 592 -- Memorials, Recognition - Honors organizers and participants of 140th Anniversary of Battle of Shiloh reenactment. by *Wilder, *Haynes, *Norris.

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Senate Joint Resolution No. 593 -- Memorials, Recognition - Pat Boone. by *Fowler.

Senate Joint Resolution No. 616 -- Naming and Designating - April 11, 2002, World Parkinson's Disease Day in Tennessee. by *Herron, *Rochelelle.

MESSAGE FROM THE SENATE

March 28, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1959, 2131, 2352, 2473, 2478 and 2978; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED

March 28, 2002

The Speaker signed the following: Senate Bill(s) No(s). 1959, 2131, 2352, 2473, 2478 and 2978.

ENROLLED BILLS

March 28, 2002

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2357, also, House Joint Resolution(s) No(s). 618, 647, 648, 745, 747, 748, 749, 750, 751, 754, 755, 756, 759, 760, 762, 763, 764, 765, 766, 767, 768, 769, 771, 772, 773, 774, 775, 776 and 777.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 28, 2002

The Speaker signed the following: House Bill(s) No(s). 2357; also, House Joint Resolution(s) No(s). 618, 647, 648, 745, 747, 748, 749, 750, 751, 754, 755, 756, 759, 760, 762, 763, 764, 765, 766, 767, 768, 769, 771, 772, 773, 774, 775, 776 and 777.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 28, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2357; also, House Joint Resolution(s) No(s). 618, 647, 648, 745, 747, 748, 749, 750, 751, 754, 755, 756, 759, 760, 762, 763, 764, 765, 766, 767, 768, 769, 771, 772, 773, 774, 775, 776 and 777; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 28, 2002

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1268, 2357, 2386, 2687, 2906, 2975, 3217, 3218, 3219, 3227, 3228, 3229, 3233, 3249; also, House Joint Resolution(s) No(s). 618, 647, 648, 745, 747, 748, 749, 750, 751, 754, 755, 756, 759, 760, 762, 763, 764, 765, 766, 767, 768, 769, 771, 772, 773, 774, 775, 776 and 777.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
April 2, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 768, with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR
April 2, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 755 and 772, with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE SENATE
April 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 629; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Joint Resolution No. 629** -- Memorials, Personal Achievement - Stephanie Culberson, Miss Tennessee 2001. by *Miller J.

MESSAGE FROM THE SENATE
April 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 630; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 630 -- Memorials, Recognition - Tom Magruder, Robertson County Volunteer of the Year. by *Graves.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2215; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Bill No. 2215 -- Appropriations - Allocates \$5,931,300 for homeland security purposes and \$1,260,000 for state parks. by *Atchley, *McNally, *Crowe, *Haun, *Davis L. (*HB2187 by *McDaniel, *Kisber, *Ford S, *Boyer, *Davidson, *Whitson, *Clem, *Davis (Cocke), *West, *McDonald, *Davis (Washington), *Garrett, *Windle, *Bone, *Walker, *Mumpower, *Godsey, *Wood, *Rinks, *Turner (Hamilton), *Brown, *Scroggs, *Bittle, *Vincent, *Baird, *Goins, *Dunn, *Hagood, *Tindell)

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 555, 569, 596, 598, 601, 602, 603 and 607; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Joint Resolution No. 555** -- Constitutional Amendments - Proposes amendment to Article VI, Section 14 of Tennessee Constitution, relative to general assembly prescribing maximum fine to be assessed without jury. by *Haynes, *Cohen, *Dixon.

***Senate Joint Resolution No. 569** -- General Assembly, Statement of Intent or Position - Expresses sense that each school-age child should have access to and participate in daily physical education and activity as part of educational experience; encourages public schools to promote physical activity and well-being among students to combat prevalence of obesity among Tennessee's children and teenagers. by *Henry.

Senate Joint Resolution No. 596 -- Memorials, Retirement - Mr. William J. Darby, III. by *Crowe, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

Senate Joint Resolution No. 598 -- Memorials, Death - Mrs. Ora S. Jackson. by *Crutchfield.

Senate Joint Resolution No. 601 -- Memorials, Recognition - Stonewall Jackson, Country Music Living Legend. by *Henry, *Rochelle.

Senate Joint Resolution No. 602 -- Memorials, Recognition - Sandra Rowland, TML Stand By Your Spouse Award. by *Miller J.

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Senate Joint Resolution No. 603 -- Memorials, Recognition - Elmwood Cemetery, 150th Anniversary. by *Cohen, *Kyle, *Dixon.

Senate Joint Resolution No. 607 -- Memorials, Death - Osta M. Underwood. by *Henry.

RESOLUTIONS REFERRED
March 27, 2002

Pursuant to Rule No. 44, the following resolution(s) was/were referred to the following Committee(s):

***House Resolution No. 232** -- General Assembly, Studies - Directs house committee on consumer and employee affairs to study issues relating to consumer credit reports and to report its findings and recommendations to house no later than January 15, 2003. by *Patton.

House Consumer and Employee Affairs Committee

***House Joint Resolution No. 770** -- Naming and Designating - "Major General Dan Wood National Guard Armory" in Henderson. by *McDaniel.

House State and Local Government Committee

CONSENT CALENDAR
March 26, 2002

The following local bills have been placed on the Consent Calendar for **April 3, 2002**: House Bill(s) No(s). 3240, 3251, 3220, 3221, 3222, 3224 and 3225.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Rhinehart was recognized in the Well for remarks.

RECOGNITION IN THE WELL

Rep. Sands was recognized in the Well to introduce Kayla Dale, the 2002 Mule Day Queen, for remarks.

RULES SUSPENDED

Rep. Sands moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 780 out of order, which motion prevailed.

House Joint Resolution No. 780 -- Memorials, Recognition - 2002 Mule Day celebration. by *Sands.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Sands, the resolution was adopted by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Reps. Newton and Bunch were recognized in the Well to introduce Stephanie Culbertson, Miss Tennessee 2001, for remarks.

RECOGNITION IN THE WELL

Rep. Brooks was recognized in the Well to introduce Dr. Bobby Jones for remarks.

RULES SUSPENDED

Rep. Brooks moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 761, held on the Clerk's desk, which motion prevailed.

House Joint Resolution No. 761 -- Memorials, Recognition - Dr. Bobby Jones. by *Brooks.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brooks, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MOTION TO RESET BILLS

Rep. Davidson moved that all bills set for the floor calendars on Wednesday, March 27, 2002, Thursday, March 28, 2002 and Monday, April 1, 2002 be reset for the floor calendars on Wednesday, April 3, 2002, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 232** -- General Assembly, Studies - Directs house committee on consumer and employee affairs to study issues relating to consumer credit reports and to report its findings and recommendations to house no later than January 15, 2003. by *Patton.

Previously referred to the House Consumer and Employee Affairs Committee

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

***House Joint Resolution No. 770** -- Naming and Designating - "Major General Dan Wood National Guard Armory" in Henderson. by *McDaniel.

Previously referred to the House State and Local Government Committee

***House Joint Resolution No. 779** -- Highway Signs - "George Broussard Memorial Bridge," bridge spanning Middle Fork of Obion River on State Route 43/U.S. Highway 45E between Sharon and Greenfield in Weakley County. by *Maddox.

House Transportation Committee

House Joint Resolution No. 782 -- Naming and Designating - Tennessee Safe Kids Day, May 8, 2002. by *Caldwell.

House Calendar and Rules Committee

***House Joint Resolution No. 789** -- Highway Signs - "Sheriff Israel Smith Memorial Highway", U.S. Highway 11 in Bradley County. by *Newton.

House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 10, 2002:

House Joint Resolution No. 811 -- Memorials, Professional Achievement - Laura Gill Bailey, 2001 Powell Business and Professional Association Woman of the Year. by *Dunn, *Bittle, *Buttry, *Tindell, *Hagood, *Boyer.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 10, 2002:

Senate Joint Resolution No. 596 -- Memorials, Retirement - Mr. William J. Darby, III. by *Crowe, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

Senate Joint Resolution No. 598 -- Memorials, Death - Mrs. Ora S. Jackson. by *Crutchfield.

Senate Joint Resolution No. 601 -- Memorials, Recognition - Stonewall Jackson, Country Music Living Legend. by *Henry, *Rochelle.

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Senate Joint Resolution No. 602 -- Memorials, Recognition - Sandra Rowland, TML Stand By Your Spouse Award. by *Miller J.

Senate Joint Resolution No. 603 -- Memorials, Recognition - Elmwood Cemetery, 150th Anniversary. by *Cohen, *Kyle, *Dixon.

Senate Joint Resolution No. 607 -- Memorials, Death - Osta M. Underwood. by *Henry.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 497** -- General Assembly, Statement of Intent or Position - Expresses support for memorials commemorating terrorist attacks of September 11; such memorials to be built using steel from remains of World Trade Center Towers and to be placed in American high schools. by *McNally, *Dixon, *Davis L, *Henry.

House Finance, Ways and Means Committee

***Senate Joint Resolution No. 534** -- General Assembly, Studies - Reauthorizes select joint committee on veterans' affairs. by *Crowe, *Dixon, *Henry.

House State and Local Government Committee

***Senate Joint Resolution No. 554** -- General Assembly, Confirmation of Appointment - Eddie Paschall, Tennessee Forestry Commission. by *Rochelle, *Rochelle.

House Agriculture Committee

***Senate Joint Resolution No. 557** -- General Assembly, Confirmation of Appointment - Elizabeth L. Kirk, Tennessee Higher Education Commission. by *Crutchfield, *Fowler.

House Education Committee

***Senate Joint Resolution No. 558** -- General Assembly, Confirmation of Appointment - Deborah Taylor Tate, Tennessee Regulatory Authority. by *Atchley.

Held on House Desk

***Senate Joint Resolution No. 563** -- General Assembly, Confirmation of Appointment - Confirms appointment of Pat Miller as director of TRA. by *Wilder, *Henry, *Dixon, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Eisea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

Held on House Desk

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

***Senate Joint Resolution No. 572** -- Memorials, Government Officials - Urges State Building Commission to name Johnson City Tennessee Highway Patrol Office on John Exum Parkway in honor of James Seehorn. by *Crowe.

House Finance, Ways and Means Committee

***Senate Joint Resolution No. 591** -- General Assembly, Confirmation of Appointment - Confirms appointment of Sara Kyle as director of TRA. by *Dixon, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

Held on House Desk

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3259 -- Obion County - Subject to local approval, reapportions school districts to be coextensive with seven county legislative body districts and provides for transition to staggered four-year terms for school board members. by *Pinion.

House Bill No. 3260 -- Tipton County - Subject to local approval, restructures board of education from seven to nine members coterminous with county legislative districts. Amends ed. Repeals Chapter 378 of the Private Acts of 1947; as amended. by *Naifeh.

House Bill No. 3261 -- Gibson County - Subject to local approval, prescribes number of, and procedures for electing, members of board of commissioners for Gibson County Utility District. Amends Chapter 192 of the Private Acts of 1953; as amended. by *Phelan.

House Bill No. 3263 -- Carroll County - Pursuant to local request, revises tax rate in West Carroll Special School District. Amends Chapter 109 of the Private Acts of 1981, as amended. by *Phelan.

DELAYED BILLS REFERRED

March 27, 2002

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3262, was/were referred to the Delayed Bills Committee.

***House Bill No. 3262** -- Highway Signs - "George Broussard Memorial Bridge", bridge spanning Middle Fork of Obion River on State Route 43/U.S. Highway 45E between Sharon and Greenfield in Weakley County. by *Maddox.

DELAYED BILLS REFERRED

April 3, 2002

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3264, was/were referred to the Delayed Bills Committee.

House Bill No. 3264 -- Sewage - Exempts city of Pegasus, by population, from requirement that water and wastewater facilities of municipality must be self-supporting; exemption applies until growth in city is sufficient for project to be and remain self-supporting and self-sufficient. Amends TCA Section 7-34-114; Section 7-35-414; Section 9-21-308 and Section 68-221-1008. by *Casada. (*SB3216 by *Kurita)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2062** -- Sunset Laws - South central Tennessee railroad authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2. by *Harper, *Burchett, *Trail. (HB2715 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2085** -- Sunset Laws - Tri-county railroad authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2. by *Harper, *Burchett, *Trail. (HB2766 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2130** -- Claims Commission, Tennessee - Extends term of office for persons serving on commission from six years to eight years. Amends TCA Title 9, Chapter 8, Part 3. by *Cooper J, *Dixon. (HB2115 by *Cole (Dyer))

Senate Bill No. 2138 -- Education, Higher - Renames "Nashville State Technical Institute" to be "Nashville State Community College"; provides for management control, program offerings, and continuation of existing rights and obligations. Amends TCA Title 49, Chapter 8, by *Henry. (*HB2069 by *Odom, *Harwell)

***Senate Bill No. 2137** -- Taxes, Inheritance Gift - Provides that gift to qualified Tennessee education savings plan (BEST program) is exempt from Tennessee gift tax to same extent as federal gift tax. Amends TCA Title 49, Chapter 7, Part 8 and Title 67. by *Fowler. (HB2119 by *Fowlkes)

***Senate Bill No. 2152** -- Education - Enacts "Discipline Act of 2002." Amends TCA Title 49, Chapter 6, Parts 34. by *Dixon, *Miller J. (HB2264 by *Towns)

Senate Bill No. 2263 -- Highways, Roads and Bridges - Requires department of transportation to minimize noise impact from highway traffic on certain noise sensitive areas. Amends TCA Title 54. by *Fowler. (*HB2246 by *Sharp, *Wood)

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

***Senate Bill No. 2388** -- Criminal Offenses - Imposes additional \$200 fine against persons convicted of domestic type assault or aggravated assault and provides that revenue raised from additional fine is to be appropriated by general assembly for funding family violence shelters and shelter services. Amends TCA Title 39, Chapter 13, Part 1. by *Graves, *Rochelle, *Davis L., *Burks. (HB2530 by *McMillan)

***Senate Bill No. 2418** -- Appeal and Review - Requires circuit court to grant writ of certiorari to hear appeal from decision of board or commission revoking, suspending, or denying license or permit that is required prior to engaging in conduct protected by First Amendment. Amends TCA Title 27, Chapter 9. by *Haynes. (HB2778 by *Odom)

***Senate Bill No. 2425** -- Pensions and Retirement Benefits - Corrects statutory reference to superseded retirement systems within retirement benefit system election of option provision. Amends TCA Title 5, Chapter 1, Part 3; Title 8, Chapter 23; Title 8, Chapter 25; Title 8, Chapter 27; Title 8, Chapters 34 through 37; and Title 8, Chapter 50. by *Atchley. (HB2500 by *Rhinehart)

***Senate Bill No. 2539** -- Criminal Offenses - Creates Class E felony offense of possession of substance with intent to use it to manufacture controlled substance or convey it to another for such use but does not apply to persons licensed to dispense or prescribe controlled substance. Amends TCA Title 39, Chapter 17, Part 4. by *Burks, *McNally, *Davis L. (HB2576 by *Buck)

***Senate Bill No. 2548** -- Medical Occupations - Authorizes chiropractic physicians to submit written request to medical laboratory for tests appropriate to professional's practice and to have result of test reported directly to chiropractic physician. Amends TCA Section 68-29-121. by *Ford J. (HB2981 by *Odom, *Jones, S., *Armstrong)

***Senate Bill No. 2762** -- Planning, Public - Allows secretary of planning commission, rather than full commission, to approve certain plats under certain circumstances. Amends TCA Title 13, Chapter 4, Part 3. by *Fowler. (HB2645 by *Wood)

Senate Bill No. 2791 -- Food and Food Products - Requires catfish products sold in state to be labeled with nation of origin included thereon; grants department of agriculture enforcement powers with authority to impose civil penalties. Amends TCA Title 53. by *Rochelle. (*HB2121 by *Bone)

***Senate Bill No. 2801** -- Election Laws - Creates Class E felony for person who is not employee of election commission to give unsolicited request for application for absentee ballot; increases ratio for registered voters per voting machine from 650 to 750; makes other revisions to election laws. Amends TCA Section 2-2-109; Section 2-2-116; Section 2-3-104 and Section 2-6-202. by *Rochelle. (HB3193 by *Hargrove)

Senate Bill No. 2941 -- TennCare - Revises HMO prompt payment requirements as they relate to TennCare. Amends TCA Section 56-32-226. by *Clabough. (*HB2894 by *Kisber)

Senate Bill No. 2951 -- Laundries and Dry Cleaners - Sets annual registration and surcharge fees for dry cleaning facilities based on amount of solvent purchased; establishes deductible amounts under dry cleaner environmental response program; specifies that permit not required under certain circumstances. by *Ramsey. (*HB2904 by *McCord)

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

Senate Bill No. 2961 -- TennCare - Authorizes office of health services to issue subpoenas and compel attendance of witnesses and production of documents as part of TennCare enrollee investigation; punishes failure to comply as contempt of court. - TCATitle 71-5-118. by *Fowler. (*HB2888 by *Scroggs)

Senate Bill No. 3070 -- Education, Dept. of - Revises obsolete language on teacher in-service training requirements. Amends TCA Title 49, Chapter 2. by *Burks. (*HB3012 by *Windle)

Senate Bill No. 3129 -- Courts, Administrative Office of the - Clarifies cases to be "counted" and "reported" by AOC; clarifies that Tennessee court information system is to report court cases instead of count them. - TCA Title 16. by *Rochelle. (*HB3132 by *White, *Kisber)

Senate Bill No. 3143 -- Mortgages - Places certain requirements and restrictions on mortgage and home equity loans. Amends TCA Title 45 and Title 47. by *Herron, *Cooper J. (*HB3178 by *Fitzhugh)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 3237** -- Hardin County -- House Judiciary Committee

House Bill No. 3253 -- Loudon County -- Local Bill Held on House Desk

House Bill No. 3254 -- Meigs County -- Local Bill Held on House Desk

House Bill No. 3255 -- Lafayette -- Local Bill Held on House Desk

House Bill No. 3256 -- Dickson -- Local Bill Held on House Desk

House Bill No. 3257 -- Gibson County -- Local Bill Held on House Desk

House Bill No. 3258 -- Alcoa -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 26, 2002**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 3, 2002**: House Bill(s) No(s). 2867, 2868, 2871, 3037, 2853, 2385, 2916, 2917, 2505, 2904, 2645, 2241, 2913, 2940, 2564, Senate Joint Resolution(s) No(s). 94 and House Joint Resolution(s) No(s). 682.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 3, 2002**: House Bill(s) No(s). 3103, 2715, 2766, 2754, 2712, 2713 and Senate Joint Resolution(s) No(s). 529.

AGRICULTURE

The Agriculture Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2502 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CHILDREN AND FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 2528, also House Bill(s) No(s). 2209 and 2523 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2526. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 1464, 2540, House Joint Resolution(s) No(s). 741, 742, 743, 659; also House Bill(s) No(s). 2894 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2893 and 2983. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 2593, also House Bill(s) No(s). 2511 and 2808 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2639 and 2984. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee further reports that House Bill(s) No(s). 2086 was considered, but failed to pass.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2377, 2059, 2060, 2542, 2619, House Joint Resolution(s) No(s). 693, also House Bill(s) No(s). 2187, 3105 and 2530 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2738, 1069, 2728, 2733, 2740, 2711, 2731 and 2720, also House Bill(s) No(s). 2760 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also recommended that House Bill(s) No(s). 3148 be transmitted to the Conservation and Environment Committee, House Bill(s) No(s). 2774 and 2549 be transmitted to the Education Committee, House Bill(s) No(s). 2450 with amendments be transmitted to the Health and Human Resources Committee and House Bill(s) No(s). 2601 be transmitted to the Judiciary Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2624, 2981, Senate Joint Resolution(s) No(s). 490, also House Bill(s) No(s). 2841, 2479 and 3187 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2433; also House Bill(s) No(s). 2280, 2105 and 2339 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reports that House Bill(s) No(s). 2376 was considered, but failed to pass.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2118, also House Bill(s) No(s). 3107 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3050; also House Bill(s) No(s). 3049 and 2672 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 27, 2002**, reported the following:

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 3199, 2321, 2613, 3111, 2580, also House Bill(s) No(s). 1210 and 710 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2250 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2061, 2915, 2914, 532, 2539 and 2816 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2834, House Joint Resolution(s) No(s). 683, 723; also House Bill(s) No(s). 2693 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 28, 2002**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 3, 2002**: House Bill(s) No(s). 2894, 2121, 1895, 2779, 2883.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 3, 2002**: House Joint Resolution(s) No(s). 659 and House Bill(s) No(s). 2372.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 2, 2002**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 3, 2002**: House Bill(s) No(s). 2384, 2377, 2061, 3138, 710, 2992, 2639 and 2187.

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 10, 2002**: House Joint Resolution(s) No(s). 693, House Bill(s) No(s). 2914, 2093, 2540, 3105, 2769, 2760, 3044, 2981 and 2511.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 3, 2002**: House Bill(s) No(s). 2624, 1464, 2059, 2060, 2968, 3199, 2321, 2751, 1069, 2765, 2724, 2759, 2763, 2711, 2731, 2776 and 2619.

CHILDREN AND FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 2471, House Joint Resolution(s) No(s). 740, also House Bill(s) No(s). 240 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2887. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 2696, 1545; also House Bill(s) No(s). 76 and 2949 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2286, 2397 and 2605. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 2276 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION

The Education Committee recommended for passage: House Joint Resolution(s) No(s). 644. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2335, 2336, 2918, 2506, 2920, 3078, 2535, 1818, 3015, 2277, 2882, 2128, 2227, 2592, also House Bill(s) No(s). 2119, 2484, 2271, 1724, 3028, 2069 and 2907 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2737. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also recommended that House Bill(s) No(s). 3002, also House Bill(s) No(s). 2606 with amendments be transmitted to the Commerce Committee, House Bill(s) No(s). 3100 be transmitted to the Conservation and Environment Committee and House Bill(s) No(s). 2839 and 2228 be transmitted to the Health and Human Resources Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2635 and House Resolution(s) No(s). 222. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2258 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2677, 3079, also House Bill(s) No(s). 3147, 2678, 2969 and 1767 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2954; also House Bill(s) No(s). 1800, 2434 and 1816 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 3, 2002**, reported the following:

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Joint Resolution(s) No(s). 623; also House Bill(s) No(s). 1595 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 3184, 2669, 3119, also House Bill(s) No(s). 3132, 2394, 2334, 3020, 1201, 2941, 2622 and 2778 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2375, House Joint Resolution(s) No(s). 704 and Senate Joint Resolution(s) No(s). 510. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2193, 2970; also House Bill(s) No(s). 1247 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CAPTION BILLS REFERRED
March 26, 2002

Pursuant to **Rule No. 47**, the following Caption Bill(s), 3097 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 3097** -- Game and Fish Laws – House Conservation and Environment Committee

CAPTION BILLS REFERRED
March 27, 2002

Pursuant to **Rule No. 47**, the following Caption Bill(s), 2183 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 2183** -- Alcoholic Beverage Commission – House State and Local Government Committee

CAPTION BILLS REFERRED
April 3, 2002

Pursuant to **Rule No. 47**, the following Caption Bill(s), 347 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 347** -- Courts, Administrative Office of the – House Judiciary Committee

CONSENT CALENDAR

House Joint Resolution No. 685 -- Naming and Designating - "Emergency Medical Services Week" May 19-25, 2002. by *Garrett.

***House Bill No. 3103** -- Campaigns and Campaign Finance - Allows candidate to provide for allocation of unexpended balance of contributions in campaign account through such candidate's will. Amends TCA Section 2-10-114. by *Kisber. (SB3066 by *Cohen)

On motion, House Bill No. 3103 was made to conform with **Senate Bill No. 3066**; the Senate Bill was substituted for the House Bill.

House Bill No. 2715 -- Sunset Laws - South central Tennessee railroad authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2. by *Kernell, *Brooks, *Cooper B. (*SB2062 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2715 was made to conform with **Senate Bill No. 2062**; the Senate Bill was substituted for the House Bill.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

House Bill No. 2766 -- Sunset Laws - Tri-county railroad authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2. by *Kernell, *Brooks, *Cooper B. (*SB2085 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2766 was made to conform with **Senate Bill No. 2085**; the Senate Bill was substituted for the House Bill.

House Bill No. 2754 -- Sunset Laws - Committee for clinical perfusionists, June 30, 2003. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 28. by *Kernell, *Brooks, *Cooper B. (*SB2108 by *Harper, *Burchett, *Trail)

House Bill No. 2712 -- Sunset Laws - Sports Festival, Inc., June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB2067 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2712 was made to conform with **Senate Bill No. 2067**; the Senate Bill was substituted for the House Bill.

House Bill No. 2713 -- Sunset Laws - Sports Festival, Inc., board of directors, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by *Kernell, *Brooks, *Cooper B. (*SB2066 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2713 was made to conform with **Senate Bill No. 2066**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 529** -- Highway Signs - "Master Sergeant Jefferson Donald 'Donnie' Davis Memorial Bridge", spanning Watauga River on S.R. 400 South in Carter County. by *Crowe.

***House Joint Resolution No. 682** -- Memorials, Congress - Memorializes Congress to pass voluntary school prayer amendment to U.S. Constitution. by *Davis (Washington), *Godsey, *Mumpower, *Beavers, *Curtiss, *Maddox, *Wood, *Baird, *Dunn, *Goins, *Black, *DeBerry J, *Sharp, *Ford S, *Casada, *Walker, *Whitson, *Cole (Carter), *Boyer.

House Bill No. 3240 -- Bristol - Subject to local approval, eliminates city's civil service system; replaces civil service system with personnel policies and procedures adopted by city council. Amends Chapter 84 of the Private Acts of 1991. by *Mumpower. (SB3188 by *Ramsey)

House Bill No. 3251 -- Perry County - Subject to local approval, authorizes legislative body to impose 5 percent hotel occupancy tax. by *Tidwell. (SB3195 by *Herron)

House Bill No. 3220 -- Chester County - Subject to local approval, revises various provisions concerning selection and responsibilities of county attorney. by *McDaniel. (SB3206 by *Wilder)

House Bill No. 3221 -- Chester County - Subject to local approval, repeals act establishing county budget committee and budget procedures. by *McDaniel. (SB3209 by *Wilder)

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House Bill No. 3222 -- Chester County - Subject to local approval, makes various changes in order to update local laws pertaining to county road supervisor and county highway system. by *McDaniel. (SB3208 by *Wilder)

House Bill No. 3224 -- Chester County - Subject to local approval, repeals local law requiring election of county superintendent of education. by *McDaniel. (SB3212 by *Wilder)

House Bill No. 3225 -- Chester County - Subject to local approval, repeals certain local requirements for registration of conveyances of real property. by *McDaniel. (SB3210 by *Wilder)

House Bill No. 3231 -- Marion County - Subject to local approval, restructures Marion County board of education. - Repeals Chapter 4 of the Private Acts of 1975. by *Rhinehart. (SB3177 by *Elsea)

***House Joint Resolution No. 659** -- General Assembly, Directed Studies - Continues joint study committee on electric utility industry deregulation until February 28, 2004. by *Kisber.

House Bill No. 2372 -- Hospitals and Health Care Facilities - Permits for-profit hospitals to hold off-site health screenings if program is under supervision of licensed physician and if medical laboratory board has issued letter of exemption. Amends TCA Section 68-29-104. by *Hood, *Rowland, *Beavers. (*SB2321 by *Trail)

On motion, House Bill No. 2372 was made to conform with **Senate Bill No. 2321**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3199** -- Public Records - Authorizes county clerk to have designee attend meetings of county public records commission. Amends TCA Section 10-7-401. by *Towns, *Langster. (SB3157 by *Harper)

House Bill No. 2624 -- Aged Persons - Establishes pilot project with Tennessee Edenizing Foundation, Inc., to provide services to elderly in home and community settings in order to avoid nursing home care for such elderly; deletes existing pilot project. Amends TCA Title 71, Chapter 5, Part 1. by *Arriola, *Pruitt, *Odom, *Briley, *Jones, S., *West, *Garrett, *Langster, *Harwell, *Turner (Davidson). (*SB2830 by *Henry, *Haynes, *Graves)

On motion, House Bill No. 2624 was made to conform with **Senate Bill No. 2830**; the Senate Bill was substituted for the House Bill.

House Bill No. 1464 -- Charitable Solicitations - Provides for temporary certificates under certain conditions to authorize receiving of charitable gift annuities until regular certificate is available. by *Maddox. (*SB1163 by *Herron)

***House Bill No. 2059** -- Highway Signs - "Jimmy Breeden Memorial Bridge," S.R. 424 over Big Sandy River in Carroll County. by *Maddox, *White. (SB2008 by *Carter)

On motion, House Bill No. 2059 was made to conform with **Senate Bill No. 2008**; the Senate Bill was substituted for the House Bill.

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***House Bill No. 2060** -- Highway Signs - "Dennis Brooks, Jr. Memorial Bridge," S.R. 114 over Big Sandy River in Carroll County. by *Maddox, *White. (SB2009 by *Carter, *Herron)

On motion, House Bill No. 2060 was made to conform with **Senate Bill No. 2009**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2968** -- Child Custody and Support - Exempts parties divorced before parenting plan legislation was enacted from compliance with parenting plan law, if agreed order as to custody, support, and maintenance of children entered. Amends TCA Title 36, Chapter 6, Part 4. by *Bunch. (SB3048 by *Norris)

***House Bill No. 2321** -- Agriculture - Adds nursery stock to definitions of "farm" and "farm operation" for purposes of Tennessee Right to Farm Act. Amends TCA Title 43, Chapter 26, Part 1. by *Bone. (SB2644 by *Cooper J)

On motion, House Bill No. 2321 was made to conform with **Senate Bill No. 2644**; the Senate Bill was substituted for the House Bill.

House Bill No. 2751 -- Sunset Laws - Housing development authority, board of directors. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 23. by *Kernell, *Brooks, *Cooper B. (*SB2105 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2751 was made to conform with **Senate Bill No. 2105**; the Senate Bill was substituted for the House Bill.

House Bill No. 1069 -- Sunset Laws - Safe employment education and training advisory committee, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6. by *Kernell, *Brooks, *Cooper B. (*SB131 by *Harper)

On motion, House Bill No. 1069 was made to conform with **Senate Bill No. 131**; the Senate Bill was substituted for the House Bill.

House Bill No. 2765 -- Sunset Laws - West Tennessee river basin authority, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB2118 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2765 was made to conform with **Senate Bill No. 2118**; the Senate Bill was substituted for the House Bill.

House Bill No. 2724 -- Sunset Laws - Institute for labor-management studies, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 32. by *Kernell, *Brooks, *Cooper B. (*SB2036 by *Harper, *Burchett, *Trail)

House Bill No. 2759 -- Sunset Laws - Removes community resource development committee from sunset provisions. Amends TCA Title 4, Chapter 29 and Title 41, Chapter 10. by *Kernell, *Brooks, *Cooper B. (*SB2089 by *Harper, *Burchett, *Trail)

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House Bill No. 2763 -- Sunset Laws - Advisory committee on women's health, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB2086 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2763 was made to conform with **Senate Bill No. 2086**; the Senate Bill was substituted for the House Bill.

House Bill No. 2711 -- Sunset Laws - State agencies publication committee, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 7. by *Kernell, *Brooks, *Cooper B. (*SB2068 by *Harper, *Burchett, *Trail)

On motion, House Bill No. 2711 was made to conform with **Senate Bill No. 2068**; the Senate Bill was substituted for the House Bill.

House Bill No. 2731 -- Sunset Laws - Department of general services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Brooks, *Cooper B. (*SB2044 by *Harper)

On motion, House Bill No. 2731 was made to conform with **Senate Bill No. 2044**; the Senate Bill was substituted for the House Bill.

House Bill No. 2776 -- Solid Waste Disposal - Eliminates \$0.75 state surcharge imposed on municipal solid waste at transfer station not operated in conjunction with convenience center. Amends TCA Title 68, Chapter 211, Part 8. by *Odom. (*SB2878 by *Cooper J)

***House Bill No. 2619** -- Correctional Programs - Provides that judge of circuit or criminal court as well as general sessions court can order misdemeanor sentenced to county jail or workhouse be placed on work release. Amends TCA Title 41, Chapter 2, Part 1. by *Briley, *Arriola. (SB2854 by *Henry)

JOURNAL CORRECTION

House Joint Resolution No. 682 was placed in error on today's Consent Calendar. It will be heard instead on today's Regular Calendar.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 659: by Rep. Miller

House Bill No. 2619: by Rep. Hagood

Under the rules, House Joint Resolution(s) No(s). 659 and House Bill(s). No(s). 2619 was/were placed at the foot of the calendar for April 10, 2002.

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Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. Davidson and McDaniel was recognized in the Well.

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 809 out of order, which motion prevailed.

House Joint Resolution No. 809 -- General Assembly, Recess & Reconvene - Recesses General Assembly at close of business on Wednesday, April 3, 2002, and reconvenes both houses on Wednesday, April 10, 2002 at 1 p.m. (CDT); recesses General Assembly at close of business on Wednesday, April 10, 2002, and reconvenes both houses on Wednesday, April 17, 2002 at 1 p.m. (CDT). by *Davidson, *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davidson, and seconded by Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2869 -- Taxes, Ad Valorem - Revises general procedures for back assessment or reassessment of property. Amends TCA Section 67-1-1005. by *Kisber. (*SB2857 by *Cooper J)

Rep. Kisber moved that House Bill No. 2869 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2869 By substituting the words "third sentence" for the words "second sentence" in the directory language of Section 1.

AND FURTHER AMEND by deleting the amendatory language of Section 2 and substituting instead the following:

(b) A back assessment or reassessment may be initiated by certification of the assessor of property to the appropriate collecting officials identifying the property and stating the basis of the back assessment or reassessment and the tax years and amount of any additional assessment for which the owner or taxpayer is responsible. The assessor shall send a copy of the certification to the owner or taxpayer. The collecting official shall thereupon send a notice of taxes due based on the back assessment and reassessment. Any person aggrieved by a back assessment or reassessment may appeal directly to the state board of equalization within forty-five (45) days from the date notice is sent as provided herein, in the manner provided in § 67-5-1412, and such person may be assisted or represented in the appeal as provided in § 67-5-1514. Accrual of delinquency penalty and interest otherwise applicable is suspended while the appeal is pending but during such period simple interest shall accrue in the amount provided in § 67-5-1512.

AND FURTHER AMEND by adding the following new section:

Section ____ Tennessee Code Annotated, Section 67-1-1005, is amended by deleting subsection (d) and redesignating existing subsections accordingly.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Kisber moved that **House Bill No. 2869**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2679 -- Nolensville - Subject to local approval, revises amount of tax imposed on new residential and non-residential development. Amends Chapter 100 of the Private Acts of 1997. by *Casada, *Sargent. (SB2874 by *Blackburn)

Further consideration of House Bill No. 2679 previously considered on March 25, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Casada moved that House Bill No. 2679 be reset for the Regular Calendar on April 10, 2002, which motion prevailed.

House Bill No. 2742 -- Sunset Laws - Tennessee Duck River development agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by *Kernell, *Brooks, *Cooper B. (*SB2077 by *Harper, *Burchett, *Trail)

Further consideration of House Bill No. 2742 previously considered on March 18, 2002 and March 25, 2002, at which time it was reset for today's Calendar.

On motion, House Bill No. 2742 was made to conform with **Senate Bill No. 2077**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 2077** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2632 -- Motor Vehicles - Redefines "abandoned motor vehicle"; authorizes demolition of certain motor vehicles left on property or in possession of another. Amends TCA Title 55, Chapter 16. by *Turner (Davidson), *Jones, S., *Arriola, *Odom, *Briley, *Pruitt, *Garrett, *Harwell. (*SB2416 by *Haynes)

Further consideration of House Bill No. 2632 previously considered on March 25, 2002, at which time it was reset for today's Calendar.

Rep. Turner (Davidson) requested that House Bill No. 2632 be moved to the heel of the Calendar.

House Joint Resolution No. 761 -- Memorials, Recognition - Dr. Bobby Jones. by *Brooks.

On previous motion, House Joint Resolution No. 761 was adopted by the House.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2361** -- County Government - Authorizes county, by two-thirds vote of its legislative body, to exercise certain additional powers granted to municipalities relative to nuisances and uses of property detrimental to health, morals, comfort, safety, convenience, or welfare of inhabitants of unincorporated areas of county. Amends TCA Section 5-1-118. by *Curtiss. (SB2844 by *Cooper J)

Further consideration of House Bill No. 2361 previously considered on March 18, 2002, at which time it was reset for today's Calendar.

On motion, House Bill No. 2361 was made to conform with **Senate Bill No. 2844**; the Senate Bill was substituted for the House Bill.

Rep. Curtiss moved that Senate Bill No. 2844 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2844 By inserting the language ", which does not have zoning regulations in effect throughout the county," in the first sentence of the amendatory language of subsection (c)(1) of Section 1 between the words "any county" and the word "may".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Curtiss moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2844 By deleting the language "subdivision (c)(2)" from the first sentence of the amendatory language of (c)(1) of Section 1 and by substituting instead the language "subdivisions (c)(2) and (3)".

AND FURTHER AMEND by adding the following language to the amendatory language of Section 1 to be designated as (c)(3):

(3) All court decisions and statutory laws relating to variances and non-conforming uses applicable to zoning ordinances and land use controls shall apply to the enforcement and exercise of those powers granted pursuant to (c)(1).

On motion, Amendment No. 2 was adopted.

Rep. Curtiss moved that **Senate Bill No. 2844**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes93
Noes.....3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Brooks, Brown, Vincent -- 3.

A motion to reconsider was tabled.

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***House Bill No. 2247** -- Employees, Employers - Reduces maximum maternity leave under statute from four months to 17 work weeks. Amends TCA Section 4-21-408. by *Sharp. (SB2309 by *Fowler)

Further consideration of House Bill No. 2247 previously considered on March 18, 2002, at which time it was reset for today's Calendar.

Rep. Wood moved that House Bill No. 2247 be reset for the Regular Calendar on April 10, 2002, which motion prevailed.

House Bill No. 1901 -- Commerce and Insurance, Dept. of - Makes confidentiality provisions concerning entities in receivership or supervision inapplicable to certain insurers that participate in medical assistance program. Amends TCA Title 56. by *Sands, *Maddox, *Odom, *Kisber. (*SB324 by *Clabough)

Further consideration of House Bill No. 1901 previously considered on March 18, 2002, at which time it was reset for today's Calendar.

Rep. Sands requested that House Bill No. 1901 be moved to the heel of the Calendar.

***House Bill No. 2867** -- Taxes, Exemption - Adjusts penalty industrial development corporations must pay for late filing annual report with board of equalization; penalty adjusted from \$100 for each day late to \$50.00 for each day late with \$500 maximum penalty and interest of 1.5 percent plus cost of collection. Amends TCA Sections 7-53-305 and 48-101-312. by *Kisber. (SB3132 by *Rochelle)

On motion, House Bill No. 2867 was made to conform with **Senate Bill No. 3132**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 3132** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2868 -- Taxes, Real Property - Changes assessment of property and liability for property taxes from owner as of January 1 of tax year to new owner, if assessor discovers recorded deed transferring ownership prior to completion of tax roll. Amends TCA Section 67-5-502. by *Kisber. (*SB2856 by *Cooper J)

Rep. Kisber moved that House Bill No. 2868 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2868 By substituting the words "may assess" for the words "shall assess" in the amendatory language of Section 1.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Kisber moved that **House Bill No. 2868**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2871 -- Ethics - Increases amount of investment in corporation or other business organization that requires disclosure statement by certain public officials from in excess of \$5,000 to in excess of \$10,000. Amends TCA Section 8-50-502. by *Kisber. (*SB2914 by *Cohen)

On motion, House Bill No. 2871 was made to conform with **Senate Bill No. 2914**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 2914** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes92
Noes.....1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Kernell -- 1.

A motion to reconsider was tabled.

Senate Joint Resolution No. 94 -- Naming and Designating - "Firefighters' Memorial Day," October 9, 2001. by *McNally, *Dixon, *Trail, *Atchley, *Burchett, *Blackburn, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Wilder, *Williams, Sen..

Rep. West moved that Senate Joint Resolution No. 94 be concurred in.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 94 By deleting the date "2001" from the first resolving clause, and by substituting instead the date "2002".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Miller moved that **Senate Joint Resolution No. 94**, as amended, be concurred in, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes	97
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 3037 -- Alcoholic Beverages - Redefines "premier type tourist resort" for purposes of authorization of sales and consumption of alcoholic beverages. Amends TCA Section 57-4-102(17). by *Jones U (Shelby). (*SB2913 by *Cohen)

Rep. U. Jones moved that **House Bill No. 3037** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	75
Noes	14
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Fitzhugh, Fraley, Garrett, Givens, Hagood, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Westmoreland, White, Whitson, Winningham, Mr. Speaker Naifeh -- 75.

Representatives voting no were: Baird, Beavers, Dunn, Ferguson, Fowlkes, Goins, Hargett, Johnson, McDonald, Overbey, Pleasant, Stanley, West, Windle -- 14.

Representatives present and not voting were: Brooks, Ford, Patton, Wood -- 4.

A motion to reconsider was tabled.

***House Bill No. 2853** -- Alcoholic Beverages - Allows retailers to store open or damaged bottles or products for purpose of return to wholesaler or for conducting sales demonstration; allows wholesaler or such wholesaler's representative to conduct sales demonstration for retail licensees and their employees; allows retail licensee to conduct sales demonstration for such licensee's employees. Amends TCA Section 57-3-404(h) and Section 57-3-406(f). by *Jones U (Shelby). (SB3127 by *Rochelle)

Rep. U. Jones moved that **House Bill No. 2853** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	9
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hagood, Hargett, Hargrove, Harwell, Head, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, West, Westmoreland, White, Whitson, Winningham, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Baird, Beavers, Dunn, Ferguson, Goins, Hood, McDonald, Windle, Wood -- 9.

Representatives present and not voting were: Brooks, Ford, Patton -- 3.

A motion to reconsider was tabled.

***House Bill No. 2385** -- Domestic Violence - Authorizes court to require petitioner for order of protection to pay costs incurred by respondent to defend petition if court finds that petition was frivolous, filed for purpose of harassment, or had no basis in law or in fact. Amends TCA Title 36, Chapter 3, Part 6. by *Buck, *Curtiss. (SB2609 by *Cooper J)

Rep. Curtiss moved that House Bill No. 2385 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2385 by deleting subsection (c) and by substituting instead the following:

(c) If after such hearing, the court finds through clear and convincing evidence that the petition filed was frivolous or for the purposes of harassment of the respondent, the court may impose sanctions upon the petitioner. Such sanctions may require the petitioner to pay the respondent's reasonable cost in defending the petition including attorney fees.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Curtiss moved that **House Bill No. 2385**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 2916** -- Motor Vehicles - Broadens exemption from traffic rules to apply to persons, vehicles, and equipment engaged in work on right-of-way adjacent to highway in addition to work on actual highway. Amends TCA Title 55, Chapter 8. by "Newton. (SB2964 by *Norris)

Rep. Newton moved that House Bill No. 2916 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2916 By deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-107, is amended by inserting the language "or the adjacent right-of-way" between the language "the surface of a highway" and the language ", but shall apply to such persons" .

SECTION 2. Tennessee Code Annotated, Section 55-8-107, is further amended by adding the following sentence to the end of the section:

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The provisions of this section shall not relieve the driver of a motor vehicle or equipment covered by this section from the duty to drive with due regard for the safety of all persons, all as provided by law.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Newton moved that **House Bill No. 2916**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 2917** -- Utilities, Utility Districts - Requires owner installing, relocating, or adjusting its utility facilities to furnish TDOT and other owners with monthly progress reports on its status of project instead of TDOT furnishing such reports. by *Ford S. (SB2965 by *Haun)

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Ford moved that House Bill No. 2917 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2917 by inserting the following language at the end of the amendatory language of Section 1 of the printed bill:

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It shall be sufficient to comply with the provisions of this subsection if the owner regularly reports progress during the course of pre-construction meetings held by the contractor and the department. The content of such reports shall be reflected in the minutes of such meetings and such minutes shall constitute the monthly progress report required hereunder whether or not such meetings are held on a monthly basis.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Ford moved that **House Bill No. 2917**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2505 -- Health Care - Authorizes persons acting as good samaritans who believe they may have been exposed to potentially life-threatening airborne or bloodborne diseases to be evaluated for such exposure. Amends TCA Section 68-10-117. by *Turner (Davidson), *Langster. (*SB2487 by *Harper)

On motion, House Bill No. 2505 was made to conform with **Senate Bill No. 2487**; the Senate Bill was substituted for the House Bill.

Rep. Turner (Davidson) moved that Senate Bill No. 2487 be passed on third and final consideration.

On motion, Rep. McMillan withdrew Judiciary Committee Amendment No. 1.

Rep. S. Jones moved the previous question, which motion prevailed.

Rep. Turner (Davidson) moved that **Senate Bill No. 2487** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 2904** -- Laundries and Dry Cleaners - Sets annual registration and surcharge fees for dry cleaning facilities based on amount of solvent purchased; establishes deductible amounts under dry cleaner environmental response program; specifies that permit not required under certain circumstances. by *McCord. (SB2951 by *Ramsey)

On motion, House Bill No. 2904 was made to conform with **Senate Bill No. 2951**; the Senate Bill was substituted for the House Bill.

Rep. McCord moved that **Senate Bill No. 2951** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	6
Present and not voting	5

Representatives voting aye were: Armstrong, Baird, Bittle, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, White, Whitson, Winningham, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Arriola, Bone, Ferguson, Lewis, West, Windle -- 6.

Representatives present and not voting were: Beavers, Black, Bowers, Hargett, Miller -- 5.

A motion to reconsider was tabled.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

House Bill No. 2645 -- Planning, Public - Allows secretary of planning commission, rather than full commission, to approve certain plats under certain circumstances. Amends TCA Title 13, Chapter 4, Part 3. by *Wood. (*SB2762 by *Fowler)

On motion, House Bill No. 2645 was made to conform with **Senate Bill No. 2762**; the Senate Bill was substituted for the House Bill.

Rep. Wood moved that **Senate Bill No. 2762** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	0
Present and not voting	5

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives present and not voting were: Bowers, Brooks, Brown, Miller, West -- 5.

A motion to reconsider was tabled.

***House Bill No. 2241** -- Private Investigators - Exempts special deputies in Sullivan County from private protective services licensing requirement. Amends TCA Section 62-35-103. by *Godsey. (SB2527 by *Ramsey, *Haun)

On motion, House Bill No. 2241 was made to conform with **Senate Bill No. 2527**; the Senate Bill was substituted for the House Bill.

Rep. Godsey moved that **Senate Bill No. 2527** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: White -- 1.

A motion to reconsider was tabled.

***House Bill No. 2913** -- Revenue, Dept. of - Requires all persons subject to any tax administered by commissioner to keep adequate records to determine tax liability and to make such records available to commissioner upon request; noncompliance results in department's assessing tax plus applicable penalty and interest based on best information available to department and results in noncompliance penalty of 10 percent of tax assessed. Amends TCA Title 67, Chapter 1, by *Whitson. (SB2960 by *Atchley)

On motion, House Bill No. 2913 was made to conform with **Senate Bill No. 2960**; the Senate Bill was substituted for the House Bill.

Rep. Whitson moved that Senate Bill No. 2960 be passed on third and final consideration.

On motion, Rep. McMillan withdrew Judiciary Committee Amendment No. 1.

Rep. Whitson moved that **Senate Bill No. 2960** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

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***House Bill No. 2940** -- Alcoholic Beverages - Redefines "premier type tourist resort" for purposes of authorizing sale and consumption of alcoholic beverages on premises of Telliqual Resort in Tellico Plains, Monroe County. Amends TCA Section 57-4-102. by *McKee. (SB3050 by *McNally)

Rep. McKee moved that **House Bill No. 2940** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes	10
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Fitzhugh, Ford, Fraley, Garrett, Givens, Hagood, Hargett, Hargrove, Harwell, Head, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phillips, Pleasant, Pruitt, Rhinehart, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Winningham, Mr. Speaker Naifeh -- 77.

Representatives voting no were: Beavers, Ferguson, Hood, Maddox, McDonald, Pinion, Ridgeway, Roach, Windle, Wood -- 10.

Representatives present and not voting were: Brooks, Fowlkes, Goins -- 3.

A motion to reconsider was tabled.

House Bill No. 2564 -- Growth and Development - Requires TACIR to monitor, on continuing basis, implementation of growth planning law and to periodically report its findings and recommendations to general assembly. Amends TCA Section 6-58-113. by *Turner (Shelby), *McDaniel, *Rinks. (*SB2795 by *Rochelle)

On motion, House Bill No. 2564 was made to conform with **Senate Bill No. 2795**; the Senate Bill was substituted for the House Bill.

Rep. Turner (Shelby) moved that **Senate Bill No. 2795** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	4

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Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Beavers, Sargent, Vincent, Wood -- 4.

A motion to reconsider was tabled.

***House Bill No. 2894** -- TennCare - Revises HMO prompt payment requirements as they relate to TennCare. Amends TCA Section 56-32-226. by *Kisber. (SB2941 by *Clabough)

On motion, House Bill No. 2894 was made to conform with **Senate Bill No. 2941**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 2941 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Odom requested that Senate Bill No. 2941 be moved down 5 places on the Calendar.

***House Bill No. 2121** -- Food and Food Products - Requires catfish products sold in state to be labeled with nation of origin included thereon; grants department of agriculture enforcement powers with authority to impose civil penalties. Amends TCA Title 53. by *Bone. (SB2791 by *Rochelle)

On motion, House Bill No. 2121 was made to conform with **Senate Bill No. 2791**; the Senate Bill was substituted for the House Bill.

Rep. Bone moved that Senate Bill No. 2791 be passed on third and final consideration.

On motion, Rep. Givens withdrew Agriculture Committee Amendment No. 1.

Rep. Bowers moved the previous question, which motion prevailed.

Rep. Bone moved that **Senate Bill No. 2791** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1895** -- Consumer Protection - Extends from four years to five years statute of repose for private civil actions for damages resulting from consumer protection act violation and makes such extension retroactive to private actions arising before effective date. Amends TCA Title 47, Chapter 18, Part 1 and Title 71, Chapter 6, Part 1. by *Maddox, *Pinion, *Cole (Dyer). (SB1867 by *Herron)

On motion, House Bill No. 1895 was made to conform with **Senate Bill No. 1867**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that Senate Bill No. 1867 be passed on third and final consideration.

Rep. Maddox moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1867 by deleting SECTIONS 2, 3 and 4 of the bill in their entirety and by substituting instead the following to be designated as Section 2:

SECTION _____. This act shall take effect on January 1, 2003, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Maddox moved that **Senate Bill No. 1867**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 2779 -- Local Education Agency - Clarifies that director of schools has authority to transfer teacher from one position to another. Amends TCA Section 49-5-409(b)(2). by *Maddox. (*SB2175 by *McNally)

On motion, House Bill No. 2779 was made to conform with **Senate Bill No. 2175**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that **Senate Bill No. 2175** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

***House Bill No. 2883** -- Foster Care - Restates purpose of permanency hearings and available goals under permanency plans for children in custody of department of children's services to include planned permanent living arrangement instead of permanent foster care and emancipation. - TCATitles 37-2-403, 37-2-409, 37-2-411. by *Patton. (SB2930 by *Person)

Rep. Patton moved that House Bill No. 2883 be reset for the Regular Calendar on April 10, 2002, which motion prevailed.

***House Bill No. 2384** -- County Government - Allows precincts in county commission districts to be split upon written certification by coordinator of elections upon considering, among other things, type of voting equipment and racial makeup. Amends TCA Section 5-1-111. by *Buck, *Winningham. (SB2811 by *Rochelle)

On motion, House Bill No. 2384 was made to conform with **Senate Bill No. 2811**; the Senate Bill was substituted for the House Bill.

Rep. Winningham moved that Senate Bill No. 2811 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2811 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-1-111(f), is amended by deleting the subsection in its entirety and substituting instead the following:

(f)(1) Except as provided in subdivision (f)(2) below, in the establishment of boundaries for districts no precinct shall be split.

(2) Upon written certification by the coordinator of elections, a county election commission may establish a precinct which encompasses two (2) or more districts in any county which has twenty (20) or more county legislative body districts. In making this determination the coordinator of elections shall consider, among other things, the type of voting equipment used in the county as well as the cost savings to the county.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. U. Jones requested that Senate Bill No. 2811 be moved down 3 places on the Calendar.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

Senate Bill No. 2941 -- TennCare - Revises HMO prompt payment requirements as they relate to TennCare. Amends TCA Section 56-32-226. by *Clabough. (*HB2894 by *Kisber)

Further consideration of Senate Bill No. 2941 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and the House withdrew Amendment No(s). 1.

Rep. Rhinehart moved that Senate Bill No. 2941 be reset for the Regular Calendar on April 10, 2002, which motion failed by the following vote:

Ayes24
Noes60

Representatives voting aye were: Arriola, Baird, Beavers, Black, Brown, Buck, Caldwell, Chumney, Clem, Cooper, Curtiss, Dunn, Hargett, Jones S, Kernell, Lewis, McCord, Odom, Pleasant, Pruitt, Rhinehart, Turner (Shelby), West, Windle -- 24.

Representatives voting no were: Armstrong, Bittle, Bone, Bowers, Boyer, Briley, Bunch, Buttry, Casada, Cole (Carter), Cole (Dyer), Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Goins, Hargrove, Head, Hood, Johnson, Kent, Kisber, Maddox, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Ridgeway, Rinks, Roach, Rowland, Sargent, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, Westmoreland, Whitson, Winningham, Wood, Mr. Speaker Naifeh -- 60.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Kisber moved that **Senate Bill No. 2941** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes92
Noes1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Rhinehart -- 1.

A motion to reconsider was tabled.

***House Bill No. 2377** -- Highway Signs - "James U.L. Scott Memorial Bridge", Roaring River on S.R. 53 in Jackson County, by "Winningham, "White. (SB2596 by "Burks, "Davis L)

On motion, House Bill No. 2377 was made to conform with **Senate Bill No. 2596**; the Senate Bill was substituted for the House Bill.

Rep. Winningham moved that Senate Bill No. 2596 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2596 By inserting the following language as a new, appropriately designated section immediately preceding the effective date section:

SECTION ____.

(1) This act shall become operative only if Jackson County, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). Jackson County shall make such payment prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to Jackson County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, Jackson County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Jackson County may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Winningham moved that **Senate Bill No. 2596**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 2061** -- Motor Vehicles, Titling and Registration - Authorizes issuance of emergency license plates to full-time police officers. Amends TCA Title 55, Chapter 4. by *Kent. (SB2129 by *McNally, *Kurita, *Williams, Sen., *Ramsey, *Burks)

On motion, House Bill No. 2061 was made to conform with **Senate Bill No. 2129**; the Senate Bill was substituted for the House Bill.

Rep. Kent moved that Senate Bill No. 2129 be passed on third and final consideration.

On motion, Rep. Ridgeway withdrew Transportation Committee Amendment No. 1.

Rep. Maddox moved the previous question, which motion prevailed.

Rep. Kent moved that **Senate Bill No. 2129** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 3138** -- Environment and Conservation, Department of - Requires department to maintain registry of riparian lands along designated scenic rivers that are not within scenic river boundary; classifies Wolf river and state forests in certain counties as natural areas; adjusts acreage of certain natural areas. Amends Chapters 13 and 14 of Title 11. by *Sands. (SB3074 by *Burks)

Rep. Sands moved that House Bill No. 3138 be reset for the Regular Calendar on April 17, 2002, which motion prevailed.

House Bill No. 710 -- State Inmates - Creates alternative procedure for judges to use when inmates file civil actions; clarifies when inmates are required to pay filing fees and costs. Amends TCA Section 20-12-127 and Title 41, Chapter 21. by *Sands. (*SB398 by *Haynes)

Rep. Sands moved that House Bill No. 710 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 710 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 41-21-808, is amended by deleting that section in its entirety and by substituting instead the following:

41-21-808.

(a) Judgment may be rendered for costs at the conclusion of the suit, action, claim or appeal as in other proceedings. If the judgment against the inmate includes the payment of costs, the inmate shall be required to pay the full amount of costs ordered.

(b) The clerk of the court shall mail a copy of the court's judgment taxing costs against the inmate to the department or county jail, as appropriate. On receipt of a copy of the judgment, the department or county jail shall withdraw funds from the inmate's trust account in the amounts provided by §41-21-807(b) for the collection of filing fees and shall forward the collected funds to the clerk of the court until the costs are paid in full or the inmate is released from confinement.

(c) This section establishes an additional method for collecting costs separate from an execution or garnishment under Title 26. The provisions of Title 26, Chapter 2 relative to exemptions and garnishments shall not apply to collections made pursuant to this section. In addition to collecting costs under the provisions of this section, the clerk of the court may pursue any other means of collection provided for by law.

(d) An inmate may authorize payments to the clerk of the court in addition to those payments authorized by this section.

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SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Sands moved that **House Bill No. 710**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Brooks, Brown, Cooper, Kernell -- 4.

A motion to reconsider was tabled.

***House Bill No. 2992** -- State Employees - Changes minimum state contribution to state employees' health insurance from 60 percent of premiums to 80 percent. Amends TCA Section 8-27-201. by *Head, *Langster, *Davidson. (SB3126 by *Rochelle)

Rep. Davidson moved that House Bill No. 2992 be reset for the Regular Calendar on April 10, 2002, which motion prevailed.

***House Bill No. 2639** -- Education, Higher - Allows non-resident of county contiguous to Tennessee in another state to enroll in college or university despite presence of teacher college or normal school in other state of equal distance from residence of non-resident. Amends TCA Section 49-8-102. by *Head, *McMillan, *Davidson. (SB2865 by *Kurita)

On motion, House Bill No. 2639 was made to conform with **Senate Bill No. 2865**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 2865 be passed on third and final consideration.

Rep. Maddox moved the previous question, which motion prevailed.

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Rep. McMillan moved that **Senate Bill No. 2865** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Casada -- 1.

A motion to reconsider was tabled.

***House Bill No. 2187** -- Appropriations - Allocates \$5,931,300 for homeland security purposes and \$1,260,000 for state parks. by *McDaniel, *Kisber, *Ford S, *Boyer. (SB2215 by *Atchley, *McNally, *Crowe)

On motion, House Bill No. 2187 was made to conform with **Senate Bill No. 2215**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 2215 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 2.

Rep. Patton moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes	61
Noes	30
Present and not voting	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Buck, Bunch, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Davidson, Davis (Washington), Davis (Cocke), Ferguson, Ford, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Kent, Kisber, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Rinks, Roach, Rowland, Sands, Scroggs, Shepard, Stanley, Tindell, Turner (Hamilton), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood -- 61.

Representatives voting no were: Beavers, Black, Brown, Chumney, Cooper, Curtiss, DeBerry J, DeBerry L, Dunn, Fitzhugh, Fowlkes, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Maddox, Miller, Montgomery, Odom, Ridgeway, Sargent, Shaw, Tidwell, Todd, Towns, Turner (Shelby), Turner (Davidson), Winningham -- 30.

Representatives present and not voting were: Kernell -- 1.

Rep. U. Jones moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 2215 by deleting Section 3 of the bill as amended.

Rep. Boyer moved the previous question on Amendment No. 4, which motion prevailed.

Rep. U. Jones moved adoption of Amendment No. 4, which motion failed by the following vote:

Ayes	28
Noes	63

Representatives voting aye were: Bowers, Briley, Brooks, Brown, Buck, Casada, Chumney, Curtiss, DeBerry J, DeBerry L, Hargrove, Harwell, Hood, Jones S, Jones U, McCord, Miller, Odom, Pinion, Pruitt, Ridgeway, Sargent, Shaw, Shepard, Towns, Turner (Shelby), Turner (Davidson), Mr. Speaker Naifeh -- 28.

Representatives voting no were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Boyer, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Johnson, Kent, Kisber, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pleasant, Rhinehart, Rinks, Roach, Rowland, Sands, Scroggs, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Wood -- 63.

Rep. Newton moved the previous question, which motion failed by the following vote:

Ayes	46
Noes	44
Present and not voting	1

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Representatives voting aye were: Armstrong, Baird, Bittle, Bone, Boyer, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Davidson, Davis (Washington), Davis (Cocke), Ford, Fraley, Garrett, Godsey, Goins, Hagood, Harwell, Johnson, Kent, Kisber, McCord, McDaniel, McDonald, McKee, Mumpower, Newton, Overbey, Patton, Pleasant, Rhinehart, Roach, Rowland, Scroggs, Shepard, Tindell, Todd, Vincent, West, Whitson, Windle, Wood -- 46.

Representatives voting no were: Beavers, Black, Bowers, Briley, Brooks, Brown, Buck, Chumney, Cooper, Curtiss, DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Fowlkes, Givens, Hargett, Hargrove, Hood, Jones S, Jones U, Maddox, Miller, Montgomery, Odom, Phelan, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Sargent, Shaw, Stanley, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, Westmoreland, White, Winningham -- 44.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Turner (Hamilton) moved the previous question, which motion failed by the following vote:

Ayes	53
Noes	38

Representatives voting aye were: Armstrong, Baird, Bittle, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Davidson, Davis (Washington), Davis (Cocke), Ford, Fraley, Garrett, Godsey, Goins, Johnson, Jones S, Kent, Kisber, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Roach, Rowland, Scroggs, Tindell, Todd, Turner (Hamilton), Vincent, Walker, West, Westmoreland, Whitson, Windle, Wood -- 53.

Representatives voting no were: Arriola, Beavers, Black, Bowers, Brooks, Brown, Chumney, Cooper, Curtiss, DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Fowlkes, Givens, Hagood, Hargett, Hargrove, Harwell, Hood, Jones U, Kernell, Lewis, Maddox, Miller, Ridgeway, Rinks, Sargent, Shaw, Shepard, Stanley, Tidwell, Towns, Turner (Shelby), Turner (Davidson), White, Winningham -- 38.

Rep. Westmoreland moved that Senate Bill No. 2215 be reset for the Regular Calendar on April 10, 2002, which motion failed by the following vote:

Ayes	40
Noes	48

Representatives voting aye were: Arriola, Beavers, Black, Bowers, Brooks, Chumney, Clem, Cole (Dyer), Cooper, DeBerry J, DeBerry L, Givens, Godsey, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kernell, Lewis, McCord, Miller, Mumpower, Odom, Pinion, Pruitt, Ridgeway, Rinks, Rowland, Sands, Sargent, Shaw, Stanley, Tidwell, Todd, Towns, Turner (Shelby), Westmoreland -- 40.

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Representatives voting no were: Armstrong, Baird, Bittle, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Casada, Cole (Carter), Curtiss, Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Goins, Hagood, Kent, Kisber, Maddox, McDaniel, McDonald, McKee, McMillan, Montgomery, Newton, Overbey, Patton, Phelan, Pleasant, Rhinehart, Roach, Scroggs, Shepard, Tindell, Turner (Hamilton), Vincent, Walker, West, White, Whitson, Windle, Wood -- 48.

After further debate, Rep. Beavers moved that Senate Bill No. 2215 be reset for the Regular Calendar on April 10, 2002, which motion failed by the following vote:

Ayes	43
Noes	50

Representatives voting aye were: Beavers, Black, Bowers, Brooks, Buttry, Casada, Chumney, Clem, Cole (Dyer), Cooper, DeBerry J, DeBerry L, Fowlkes, Fraley, Givens, Godsey, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kernell, McCord, McKee, Miller, Odom, Phelan, Pinion, Pruitt, Ridgeway, Rinks, Rowland, Sargent, Shaw, Stanley, Tidwell, Todd, Towns, Turner (Shelby), Turner (Davidson), Westmoreland -- 43.

Representatives voting no were: Armstrong, Arriola, Baird, Bittle, Bone, Boyer, Briley, Brown, Buck, Bunch, Caldwell, Cole (Carter), Curtiss, Davidson, Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Garrett, Goins, Hagood, Kent, Kisber, Lewis, Maddox, McDaniel, McDonald, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phillips, Pleasant, Rhinehart, Roach, Sands, Scroggs, Shepard, Tindell, Turner (Hamilton), Vincent, Walker, West, White, Whitson, Windle, Wood -- 50.

After further debate, Rep. Newton moved the previous question, which motion prevailed by the following vote:

Ayes	68
Noes	25

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Boyer, Briley, Buck, Bunch, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Scroggs, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Vincent, Walker, West, White, Whitson, Windle, Wood -- 68.

Representatives voting no were: Beavers, Black, Bowers, Brooks, Brown, Buttry, Chumney, Cooper, DeBerry J, DeBerry L, Hargrove, Harwell, Hood, Johnson, Jones U, Kernell, Miller, Rowland, Sargent, Shaw, Towns, Turner (Shelby), Turner (Davidson), Westmoreland, Winningham -- 25.

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

Rep. McDaniel moved that **Senate Bill No. 2215** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes	16
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Kent, Kisber, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 77.

Representatives voting no were: Bowers, Brooks, Casada, Chumney, DeBerry J, DeBerry L, Johnson, Jones S, Jones U, Kernell, McCord, Sargent, Shaw, Towns, Turner (Shelby), Turner (Davidson) -- 16.

Representatives present and not voting were: Beavers, Black, Cooper -- 3.

A motion to reconsider was tabled.

***House Joint Resolution No. 682** -- Memorials, Congress - Memorializes Congress to pass voluntary school prayer amendment to U.S. Constitution. by *Davis (Washington), *Godsey, *Mumpower, *Beavers, *Curtiss, *Maddox, *Wood, *Baird, *Dunn, *Goins, *Black, *DeBerry J, *Sharp, *Ford S, *Casada, *Walker, *Whitson, *Cole (Carter), *Kent, *Boyer, *Buttry, *Todd.

On previous motion, House Joint Resolution No. 682 was moved from today's Consent Calendar to today's Regular Calendar.

Rep. Davis (Washington) moved that House Joint Resolution No. 682 be adopted.

Rep. Kernell moved that House Joint Resolution No. 682 be reset for the Regular Calendar on April 10, 2002, which motion prevailed.

House Bill No. 2632 -- Motor Vehicles - Redefines "abandoned motor vehicle"; authorizes demolition of certain motor vehicles left on property or in possession of another. Amends TCA Title 55, Chapter 16. by *Turner (Davidson), *Jones, S., *Arriola, *Odom, *Briley, *Pruitt, *Garrett, *Harwell. (*SB2416 by *Haynes)

Further consideration of House Bill No. 2632 previously considered on today's Calendar.

Rep. Turner (Davidson) moved that House Bill No. 2632 be passed on third and final consideration.

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Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2632 by deleting Section 3 of the printed bill and renumbering the subsequent section accordingly.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Buck moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Turner (Davidson) moved that **House Bill No. 2632**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1901 -- Commerce and Insurance, Dept. of - Makes confidentiality provisions concerning entities in receivership or supervision inapplicable to certain insurers that participate in medical assistance program. Amends TCA Title 56. by *Sands, *Maddox, *Odom, *Kisber. (*SB324 by *Clabough)

Further consideration of House Bill No. 1901 previously considered on today's Calendar.

Rep. Sands moved that House Bill No. 1901 be passed on third and final consideration.

Rep. Sands moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sands moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Sands moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1901 by deleting the amendatory subsection (b) in Section 1 and by substituting instead the following:

(b) The provisions of subsection (a) shall not be applicable in any proceeding where the insurer on the date of the filing of the proceeding had derived fifty-one percent (51%) or more of its revenue for the past twelve (12) months from a contract or contracts with a governmental entity to provide health care services to enrollees in a publicly funded medical assistance program pursuant to Title 71. In these cases, the records of the insurer, other documents, and all insurance department files and court records and papers, so far as they pertain to, or are a part of, the record of the proceeding and which reflect the financial solvency of the insurer, shall be open to public inspection under the Tennessee Public Records Act promulgated at Section 10-7-503, et seq., unless otherwise required to be maintained as confidential under federal or state law. An insurer within fifteen (15) days from the date of seizure may apply to the court for a stay of application of this section, or for a protective order for particularized information which is proprietary in nature, the disclosure of which would be injurious to the rehabilitation of the insurer. The provisions of the foregoing section shall be stayed from the date of seizure until a court of competent jurisdiction rules on the application for a stay or a protective order.

AND FURTHER AMEND by deleting the amendatory subsection in Section 2 and by substituting instead the following:

() This section does not apply to hearings, notices, correspondence reports, records or other information obtained by the placing under supervision of any insurer who derived as of the date of the supervision fifty-one percent (51%) or more of its total revenues for the past twelve (12) months from a contract or contracts with a governmental entity to provide health care services to enrollees in a publicly funded medical assistance program pursuant to Title 71. In such cases, the hearings, notices, correspondence, reports, records, or other information which reflect the financial solvency of the insurer obtained during the supervision shall be open to the public under the Tennessee Public Records Act, promulgated at Section 10-7-503, et seq., unless otherwise required to be maintained as confidential under federal or state law. An insurer within fifteen (15) days from the notice of supervision may apply to the court for a stay of application of this section, or for a protective order for particularized information which is proprietary in nature, the disclosure of which would be injurious to the rehabilitation of the insurer. The provisions of the foregoing section shall be stayed from the notice of supervision until a court of competent jurisdiction rules on the application for a stay or a protective order.

On motion, Amendment No. 3 was adopted.

Rep. Sands moved that **House Bill No. 1901**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes93
Noes0
Present and not voting3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Brooks, Brown, Pruitt -- 3.

A motion to reconsider was tabled.

Senate Bill No. 2811 -- County Government - Allows precincts in county commission districts to be split upon written certification by coordinator of elections upon considering, among other things, type of voting equipment and racial makeup. Amends TCA Section 5-1-111. by *Rochelle. (*HB2384 by *Buck, *Winningham)

Further consideration of Senate Bill No. 2811 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No(s). 1.

Rep. Buck moved that Senate Bill No. 2811, as amended, be passed on third and final consideration.

Rep. U. Jones moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2811 by inserting the language "the racial makeup of the districts involved and" in subdivision (f)(2) of the amendatory language of Section 1 as amended between the language "in the county as well as" and "the cost savings to the county".

On motion, Amendment No. 2 was adopted.

Rep. Ridgeway moved the previous question, which motion prevailed.

Rep. Buck moved that **Senate Bill No. 2811**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1267 -- Forest and Forest Products - Prohibits clear cutting in Standing Stone State Park. Amends TCA Title 11. by *Windle. (*SB281 by *Davis L, *Burks, *Williams, Sen.)

Further consideration of House Bill No. 1267 previously considered on March 25, 2002, at which time it was reset for today's Message Calendar.

Rep. Windle moved that the House reconsider its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 1267, which motion prevailed.

Rep. Windle moved that the House withdraw its motion to nonconcur in Senate Amendment No. 1, which motion prevailed.

Senate Amendment No. 1

AMEND House Bill No. 1267 by deleting all language following the enacting clause of the printed bill and by substituting instead the following:

SECTION 1. The commissioner of environment and conservation shall prohibit the forestry practice of clear-cutting in all state parks. The department of environment and conservation shall not conduct clear-cutting operations in such parks, nor permit any other person or lessee to conduct clear-cutting operations in such parks.

SECTION 2. Notwithstanding the provisions of Section 1, clear-cutting may be permitted in state parks in cases of natural disaster or insect infestation provided that the department of environment and conservation has determined prior to any such clear-cutting that it is a reasonable and appropriate response to such disaster or infestation and that it is consistent with the department's duty to preserve and maintain the parks. Such clear-cutting may occur only in a manner approved in advance by the department.

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SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.

Rep. Windle moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1267**, which motion prevailed by the following vote:

Ayes	82
Noes	11

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, White, Whitson, Windle, Winningham, Wood -- 82.

Representatives voting no were: Beavers, Boyer, Caldwell, Casada, Clem, Dunn, Hagood, McCord, Sargent, Stanley, Vincent -- 11.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for April 3, 2002:

House Resolution No. 237 -- Memorials, Public Service - Clara Kay Crowell. by *Phillips.

House Joint Resolution No. 778 -- Memorials, Recognition - Boss Hill. by *Fowlkes.

House Joint Resolution No. 781 -- Memorials, Sports - Garrett Hines, Silver Medal, 2002 Winter Olympic Games. by *DeBerry J.

House Joint Resolution No. 783 -- Memorials, Sports - Celina High School Girls' Basketball Team. by *Winningham.

House Joint Resolution No. 784 -- Memorials, Sports - Coach Jim Brown. by *Winningham.

House Joint Resolution No. 785 -- Memorials, Death - Hairold Junior Strode. by *Winningham.

House Joint Resolution No. 786 -- Memorials, Professional Achievement - Tonja Crabtree, Burchfield Elementary Teacher of the Year. by *Winningham.

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House Joint Resolution No. 787 -- Memorials, Professional Achievement - Anne Bates, Scott High School's Teacher of the Year. by *Winningham.

House Joint Resolution No. 788 -- Memorials, Sports - Walter Kilzer, Class of 2002 TSSAA Hall of Fame. by *Phelan.

House Joint Resolution No. 790 -- Memorials, Sports - Garrett Hines, Silver Medal, 2002 Winter Olympic Games. by *Hargett, *Pleasant.

House Joint Resolution No. 791 -- Memorials, Sports - Coach Gene Huskey and Sevier County High School Bearettes, 2001-2002 Division 1, Class AAA Basketball Champions. by *Montgomery, *McCord.

House Joint Resolution No. 792 -- Memorials, Sports - Joe Sims, Tri-Lakes Conference Coach of the Year. by *Winningham.

House Joint Resolution No. 793 -- Memorials, Sports - Jackson County High School Lady Blue Devils, 2002 TSSAA Class AA Basketball Champions. by *Winningham.

House Joint Resolution No. 794 -- Memorials, Personal Occasion - Murrell Elizabeth Lane Pleasant, 80th birthday. by *Pleasant, *Hargett.

House Joint Resolution No. 795 -- Memorials, Recognition - Mary T. Bunish. by *Bone, *Beavers.

House Joint Resolution No. 796 -- Memorials, Sports - Friendship Christian School Girls' Basketball Team. by *Bone, *Beavers.

House Joint Resolution No. 797 -- Memorials, Sports - Jim Bowie Adcock, Rodeo Champion. by *Bone, *Beavers.

House Joint Resolution No. 798 -- Memorials, Recognition - 2002 Dickson County Old Timers' Day Parade Grand Marshalls. by *Shepard.

House Joint Resolution No. 799 -- Memorials, Public Service - Representative Shirley Powell Duer. by *Walker .

House Joint Resolution No. 800 -- Memorials, Recognition - Dr. Virgil Crowder, Jr., 2001-2002 District Governor of Lawrenceburg Rotary Club. by *White.

House Joint Resolution No. 801 -- Memorials, Recognition - William (Bill) Lucy. by *Cooper B.

House Joint Resolution No. 802 -- Memorials, Recognition - The Isaacs. by *Goins, *Baird, *Ferguson.

House Joint Resolution No. 803 -- Memorials, Academic Achievement - Jessica Medley, Salutatorian, Powell Valley High School. by *Goins, *Roach.

House Joint Resolution No. 804 -- Memorials, Academic Achievement - Eric Sharpe, Valedictorian, Powell Valley High School. by *Goins.

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House Joint Resolution No. 805 -- Memorials, Academic Achievement - Natasha Reed Yeary, Salutatorian, Forge Ridge High School. by *Goins.

House Joint Resolution No. 806 -- Memorials, Academic Achievement - Jessica Dean, Valedictorian, Forge Ridge School. by *Goins, *Roach.

House Joint Resolution No. 807 -- Memorials, Academic Achievement - Kerri Crawford, Salutatorian, Claiborne County High School. by *Goins, *Roach.

House Joint Resolution No. 808 -- Memorials, Academic Achievement - Alisha Coffey, Valedictorian, Claiborne County High School. by *Goins, *Roach.

House Joint Resolution No. 810 -- Memorials, Death - Herbert L. Lewis, Jr. by *Sands.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Supplemental Consent Calendar for April 3, 2002:

Senate Joint Resolution No. 592 -- Memorials, Recognition - Honors organizers and participants of 140th Anniversary of Battle of Shiloh reenactment. by *Wilder, *Haynes, *Norris.

Senate Joint Resolution No. 593 -- Memorials, Recognition - Pat Boone. by *Fowler.

Senate Joint Resolution No. 616 -- Naming and Designating - April 11, 2002, World Parkinson's Disease Day in Tennessee. by *Herron, *Rochelle.

***Senate Joint Resolution No. 629** -- Memorials, Personal Achievement - Stephanie Culbertson, Miss Tennessee 2001. by *Miller J.

Senate Joint Resolution No. 630 -- Memorials, Recognition - Tom Magruder, Robertson County Volunteer of the Year. by *Graves.

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 237 -- Memorials, Public Service - Clara Kay Crowell. by *Phillips.

House Joint Resolution No. 778 -- Memorials, Recognition - Boss Hill. by *Fowlkes.

House Joint Resolution No. 781 -- Memorials, Sports - Garrett Hines, Silver Medal, 2002 Winter Olympic Games. by *DeBerry J.

House Joint Resolution No. 783 -- Memorials, Sports - Celina High School Girls' Basketball Team. by *Winningham.

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House Joint Resolution No. 784 -- Memorials, Sports - Coach Jim Brown. by *Winningham.

House Joint Resolution No. 785 -- Memorials, Death - Hairold Junior Strode. by *Winningham.

House Joint Resolution No. 786 -- Memorials, Professional Achievement - Tonja Crabtree, Burchfield Elementary Teacher of the Year. by *Winningham.

House Joint Resolution No. 787 -- Memorials, Professional Achievement - Anne Bates, Scott High School's Teacher of the Year. by *Winningham.

House Joint Resolution No. 788 -- Memorials, Sports - Walter Kilzer, Class of 2002 TSSAA Hall of Fame. by *Phelan.

House Joint Resolution No. 790 -- Memorials, Sports - Garrett Hines, Silver Medal, 2002 Winter Olympic Games. by *Hargett, *Pleasant.

House Joint Resolution No. 791 -- Memorials, Sports - Coach Gene Huskey and Sevier County High School Bearettes, 2001-2002 Division 1, Class AAA Basketball Champions. by *Montgomery, *McCord.

House Joint Resolution No. 792 -- Memorials, Sports - Joe Sims, Tri-Lakes Conference Coach of the Year. by *Winningham.

House Joint Resolution No. 793 -- Memorials, Sports - Jackson County High School Lady Blue Devils, 2002 TSSAA Class AA Basketball Champions. by *Winningham.

House Joint Resolution No. 794 -- Memorials, Personal Occasion - Murrell Elizabeth Lane Pleasant, 80th birthday. by *Pleasant, *Hargett.

House Joint Resolution No. 795 -- Memorials, Recognition - Mary T. Bunish. by *Bone, *Beavers.

House Joint Resolution No. 796 -- Memorials, Sports - Friendship Christian School Girls' Basketball Team. by *Bone, *Beavers.

House Joint Resolution No. 797 -- Memorials, Sports - Jim Bowie Adcock, Rodeo Champion. by *Bone, *Beavers.

House Joint Resolution No. 798 -- Memorials, Recognition - 2002 Dickson County Old Timers' Day Parade Grand Marshalls. by *Shepard.

House Joint Resolution No. 799 -- Memorials, Public Service - Representative Shirley Powell Duer. by *Walker.

House Joint Resolution No. 800 -- Memorials, Recognition - Dr. Virgil Crowder, Jr., 2001-2002 District Governor of Lawrenceburg Rotary Club. by *White.

House Joint Resolution No. 801 -- Memorials, Recognition - William (Bill) Lucy. by *Cooper B.

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House Joint Resolution No. 802 -- Memorials, Recognition - The Isaacs. by *Goins, *Baird, *Ferguson.

House Joint Resolution No. 803 -- Memorials, Academic Achievement - Jessica Medley, Salutatorian, Powell Valley High School. by *Goins, *Roach.

House Joint Resolution No. 804 -- Memorials, Academic Achievement - Eric Sharpe, Valedictorian, Powell Valley High School. by *Goins.

House Joint Resolution No. 805 -- Memorials, Academic Achievement - Natasha Reed Yearry, Salutatorian, Forge Ridge High School. by *Goins.

House Joint Resolution No. 806 -- Memorials, Academic Achievement - Jessica Dean, Valedictorian, Forge Ridge School. by *Goins, *Roach.

House Joint Resolution No. 807 -- Memorials, Academic Achievement - Kerri Crawford, Salutatorian, Claiborne County High School. by *Goins, *Roach.

House Joint Resolution No. 808 -- Memorials, Academic Achievement - Alisha Coffey, Valedictorian, Claiborne County High School. by *Goins, *Roach.

House Joint Resolution No. 810 -- Memorials, Death - Herbert L. Lewis, Jr. by *Sands.

Senate Joint Resolution No. 592 -- Memorials, Recognition - Honors organizers and participants of 140th Anniversary of Battle of Shiloh reenactment. by *Wilder, *Haynes, *Norris.

Senate Joint Resolution No. 593 -- Memorials, Recognition - Pat Boone. by *Fowler.

Senate Joint Resolution No. 616 -- Naming and Designating - April 11, 2002, World Parkinson's Disease Day in Tennessee. by *Herron, *Rochelle.

***Senate Joint Resolution No. 629** -- Memorials, Personal Achievement - Stephanie Culberson, Miss Tennessee 2001. by *Miller J.

Senate Joint Resolution No. 630 -- Memorials, Recognition - Tom Magruder, Robertson County Volunteer of the Year. by *Graves.

Rep. Pleasant moved that all members voting aye on House Joint Resolution No. 794 be added as sponsors, which motion prevailed.

Rep. Walker moved that all members voting aye on House Joint Resolution No. 799 be added as sponsors, which motion prevailed.

Rep. Cooper moved that all members voting aye on House Joint Resolution No. 801 be added as sponsors, which motion prevailed.

Rep. Wood moved that all members of the Hamilton County delegation voting aye on Senate Joint Resolution No. 593 be added as sponsors, which motion prevailed.

OBJECTION – SUPPLEMENTAL CONSENT CALENDAR

Objection(s) was/were filed to the following on the Supplemental Consent Calendar:

Senate Joint Resolution No. 592: by Rep. Brooks

Under the rules, Senate Joint Resolution(s) No(s). 592 was/were placed at the foot of the calendar for April 10, 2002.

Pursuant to **Rule No. 50**, Rep. Fitzhugh moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

MOTION TO RESET BILLS

Rep. Davidson moved that all bills set for the floor calendars on Thursday, April 4, 2002 and Monday, April 8, 2002 be reset for the floor calendars on Wednesday, April 10, 2002, which motion prevailed.

BILL PLACED ON CALENDAR

Without objection, Rep. Kisber moved that House Bill No. 875, held on the Clerk's desk, be placed on the Regular Calendar for Wednesday, April 10, 2002.

BILLS WITHDRAWN

On motion of Rep. Maddox, **House Bill No. 3211** was withdrawn from the House.

On motion of Rep. Maddox, **House Bill No. 2782** was recalled from the Agriculture Committee and withdrawn from the House.

On motion of Rep. Patton, **House Bill No. 3066** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Patton, **House Bill No. 737** was recalled from the State and Local Government Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 746: Rep(s). Buck as prime sponsor(s).

House Bill No. 347: Rep(s). Winningham as prime sponsor(s).

House Bill No. 556: Rep(s). Turner (Davidson) as prime sponsor(s).

House Bill No. 1617: Rep(s). Dunn as prime sponsor(s).

House Bill No. 1800: Rep(s). Kent as first prime sponsor(s).

House Bill No. 1816: Rep(s). Miller as prime sponsor(s).

House Bill No. 2029: Rep(s). Vincent as prime sponsor(s).

House Bill No. 2069: Rep(s). Harwell as prime sponsor(s).

House Bill No. 2193: Rep(s). Newton as prime sponsor(s).

House Bill No. 2246: Rep(s). Wood as prime sponsor(s).

House Bill No. 2393: Rep(s). Bowers as prime sponsor(s).

House Bill No. 2455: Rep(s). Buck as prime sponsor(s).

House Bill No. 2500: Rep(s). Head as prime sponsor(s).

House Bill No. 2545: Rep(s). Newton as prime sponsor(s).

House Bill No. 2696: Rep(s). Phelan as prime sponsor(s).

House Bill No. 2774: Rep(s). Winningham as prime sponsor(s).

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

House Bill No. 2797: Rep(s). Westmoreland as first prime sponsor(s).

House Bill No. 3039: Rep(s). Patton as prime sponsor(s).

House Bill No. 3119: Rep(s). Sands as prime sponsor(s).

House Bill No. 3232: Rep(s). Newton as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Cole (Dyer) was/were removed as sponsor(s) of **House Bill No. 1800.**

On motion, Rep(s). Briley was/were removed as sponsor(s) of **House Bill No. 2797.**

**REPORT OF CHIEF ENGROSSING CLERK
April 3, 2002**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 2903.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
April 3, 2002**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 780.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
April 3, 2002**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2724, also, House Joint Resolution(s) No(s). 761 and 809.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
April 3, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2483; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 367; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3234, 3235, 3236, 3238, 3242, 3243, 3244 and 3248; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2724; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3140; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2520; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 809; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

April 3, 2002

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1464, 2754, 2759, 2776, 2869, 2968, 3199, 3220, 3221, 3222, 3224, 3225, 3231, 3240, 3251, also, House Joint Resolution(s) No(s). 685.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

April 3, 2002

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 710.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 3, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1268, 2357, 2386, 2687, 2906, 2975, 3217, 3218, 3227, 3228, 3229, 3233 and 3249, with his approval.

JAY BALLARD, Counsel to the Governor.

ENGROSSED BILLS

April 3, 2002

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2385, 2853, 2868, 2916, 2917, 2940 and 3037.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 3, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 174, 264, 467, 1492, 1958, 2027, 2103, 2174, 2380, 2392, 2488, 2514, 2695, 2726, 3061 and 3080; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 174** -- Pensions and Retirement Benefits - Corrects internal cross-reference to TCA section regarding definition of member of superseded retirement system. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37. by *Atchley. (HB230 by *Rhinehart)

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

***Senate Bill No. 264** -- Welfare - Allows state, pursuant to federal statute, to exempt individual convicted of felony involving possession, use, or distribution of controlled substance from federal prohibition against eligibility for Families First program and for food stamps if such individual is in treatment for substance abuse or has completed treatment. Amends TCA Title 71. by *Harper. (HB782 by *Briley, *Arriola, *Pruitt, *Langster, *Shaw)

***Senate Bill No. 467** -- Teachers, Principals and School Personnel - Adds "terms and conditions of service" and "working conditions" to areas of negotiation covered by Education Professional Negotiations Act; provides for liberal construction of terms. Amends TCA Section 49-5-601. by *Kyle, *Cooper J, *Crutchfield. (HB1913 by *Davidson, *Winningham, *Williams, *Shaw, *Towns, *Davis (Cocke), *Whitson, *Sands, *Jones, S.)

***Senate Bill No. 1492** -- Salaries and Benefits - Requires prevailing wage commission to determine prevailing wage for building construction annually instead of biennially and to take into consideration fringe benefits in calculating prevailing wage for such industry. Amends TCA Title 12, Chapter 4, Part 4. by *Graves. (HB1194 by *DeBerry L, *Bowers, *Chumney)

Senate Bill No. 1958 -- Safety, Dept. of - Authorizes department to transfer information contained on license applications to federal selective service system. Amends TCA Title 55. by *Burchett. (*HB1985 by *Bittle, *Shepard)

***Senate Bill No. 2027** -- Tennessee Regulatory Authority - Permits TRA to regulate transmission of unsolicited faxes and authorizes TRA to fine violators up to \$2,000 per unauthorized fax page; fines to be deposited to public utilities account of state treasurer. Amends TCA Title 65, Chapter 4. by *Henry, *Cooper J, *Cohen. (HB2277 by *Kisber)

***Senate Bill No. 2103** -- Sunset Laws - TennCare claims processing panel, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 56, Chapter 32. by *Harper, *Burchett, *Trail. (HB2749 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2174** -- County Government - Removes provisions for county appointment of project superintendents who supervise erection of new jail or courthouse. Amends TCA Title 5, Chapter 7, Part 1. by *Burchett. (HB2625 by *Bittle)

***Senate Bill No. 2380** -- Education - Allows department of education to extend temporary certificate of approval for fire and environmental safety for schools from 45 days to 60 days. Amends TCA Title 49. by *Graves. (HB3176 by *Davidson)

Senate Bill No. 2392 -- Public Health - Enacts "Tennessee Emergency Health Powers Act." Amends TCA Title 68. by *Dixon. (*HB2271 by *Bowers)

Senate Bill No. 2488 -- Nurses, Nursing - Establishes classification of advance practice nurse. Amends TCA Section 63-1-132; Section 63-7-106; Section 63-7-123 and Section 63-7-207. by *Cooper J, *Harper, *Crutchfield, *Wilder. (*HB2429 by *Odom, *Black, *Bowers, *Cole (Dyer), *Harwell, *Jones, S.)

WEDNESDAY, APRIL 3, 2002 – EIGHTY-FIRST LEGISLATIVE DAY

***Senate Bill No. 2514** -- Taxes, Hotel Motel - Removes limitation prohibiting multiple taxation of same privilege with respect to occupancy tax and limitation on city or county to levy tax in circumstances where county and/or city has levied occupancy tax where city has constructed qualifying project under Convention Center and Tourism Development Financing Act of 1998. Amends TCA Section 67-4-1425 and Section 67-4-503. by *Crutchfield. (HB2506 by *Brown)

Senate Bill No. 2695 -- Libraries - Defines "publications of records" and requires state agencies and departments to send two printed copies of all publications of record to libraries designated as depositories of state documents. Amends TCA Title 12, Chapter 6, Part 1. by *Crutchfield. (*HB2452 by *Davidson)

***Senate Bill No. 2726** -- Professions and Occupations - Makes certain changes and additions to practice of dentistry provisions, including provisions affecting licensure, continuing education, areas of practice, disability of practitioners, and scope of practice. Amends TCA Title 63, Chapter 5, Part 1. by *Person, *McNally, *Herron. (HB3203 by *McMillan, *Odom, *Jones, S.)

Senate Bill No. 3061 -- Wills - Modifies current statutory language to ensure that circuit courts actually exercise concurrent jurisdiction, with courts of record having probate jurisdiction, to conduct trials upon validity of wills. Amends TCA Title 32, Chapter 4, Part 1. by *Fowler, *Kyle. (*HB3119 by *Buck, *Sands)

Senate Bill No. 3080 -- Banks and Financial Institutions - Clarifies that out of state trust institution may act as fiduciary "in this state" instead of "from a trust office." Amends TCA Title 45, Chapter 2. by *Clabough. (*HB3153 by *Stanley)

ENROLLED BILLS

April 3, 2002

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2483, 3234, 3235, 3236, 3238, 3242, 3243, 3244, 3248, also, House Joint Resolution(s) No(s). 809.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 3, 2002

The Speaker signed the following: House Bill(s) No(s). 2483, 3234, 3235, 3236, 3238, 3242, 3243, 3244, 3248; also, House Joint Resolution(s) No(s). 809.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

April 3, 2002

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1901 and 2632.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR

April 3, 2002

The following local bills have been placed on the Consent Calendar for **April 10, 2002**:
House Bill(s) No(s). 2686, 3211, 3254, 3258, 3257, 3230, 3253, 3255 and 3256.

ROLL CALL

The roll call was taken with the following results:

Present96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Davidson, and pursuant to House Joint Resolution No. 809, the House stood in recess until 1:00 p.m., Wednesday, April 10, 2002.